

# Punjab Legislative Council Debates.

*8th January to 16th April 1921.*

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Vol. I.

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OFFICIAL REPORT.



Lahore :

Printed by the Superintendent, Government Printing, Panjab,  
1921.

**Punjab Legislative Council Debates.**

*8th January to 16th April 1921.*

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**Vol. I.**

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**OFFICIAL REPORT.**

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THE *Council*  
**PUNJAB LEGISLATIVE DEPARTMENT.**

(Official Report of the First and Second Sessions.)

**Volume I.**

FIRST VOLUME OF SESSION, 1921.

**PUNJAB LEGISLATIVE COUNCIL.**

*Saturday, 8th January 1921.*

The Council met in the Council Chamber at two of the clock.

The President (The Hon'ble Mr. MONTAGU SHERARD DAWES BUTLER, O.B., C.I.E., C.V.O., O.B.E.) took the chair.

On the assembling of Council the Secretary read the following warrants of His Excellency the Governor nominating the Hon'ble Mr. Montagu Sherard Dawes Butler, C.B., C.I.E., C.V.O., O.B.E., as President, and Mr. Thomas Peter Ellis, O.B.E., as Secretary :—

**PRESIDENT'S WARRANT.**

"Under the provisions of Section 72 C. (1) of the Government of India Act, His Excellency the Governor of the Punjab is hereby pleased to appoint Montagu Sherard Dawes Butler of the Indian Civil Service, President of the Punjab Legislative Council."

**SECRETARY'S WARRANT.**

"Under the provisions of Rule 5 of the Punjab Legislative Council Rules, His Excellency the Governor of the Punjab is hereby pleased to appoint Thomas Peter Ellis of the Indian Civil Service, Secretary of the Punjab Legislative Council."

**OATHS.**

The Secretary then administered the oath of allegiance to the President.

Thereafter the following members were sworn in :—

- ✓ 1. The Hon'ble Sir John Maynard, K.C.I.E., C.S.I.,—*ex-officio* member.
- ✓ 2. The Hon'ble Khan Bahadur Mian Fazl-i-Husain,—Elected Muhammadan Land-holders.
- ✓ 3. The Hon'ble Lala Harkishan Lal,—Elected Punjab Industries.
- ✓ 4. Abdul Hamid Khan, Khan Bahadur, Mian.
- ✓ 5. Ahmad Yar Khan, Daultana Mian, Luddan,—Multan East (Muhammadan), Rural.
- ✓ 6. Akbar Ali, Pir, Wakil, Ferozepore,—Ferozepore (Muhammadan), Rural.
- ✓ 7. Ali Akbar, Chaudhri, Dhamri, Gurdaspur,—Kangra - cum - Gurdaspur (Muhammadan), Rural.
- ✓ 8. Ali Haider Shah, Pir, Sang Jani,—Rawalpindi (Muhammadan), Rural.
- ✓ 9. Allan Khan, Drishak, Sardar, Asani,—Dera Ghazi Khan (Muhammadan), Rural.
- ✓ 10. Anderson, Mr. G., C.I.E.,—Official, nominated.



- ✓ 11. Amar Das, Lala, Vakil, Sialkot,  
—Rawalpindi Division and Lahore Di-  
vision North (Non-Muhammadan),  
Rural.
- ✓ 12. Amir Khan, Khan Sahib, Chak  
No. 282, Gugera Branch,—Lyallpur  
North (Muhammadan), Rural.
- ✓ 13. Asghar Ali, Shaikh, C.B.E.,—  
Official, nominated.
- ✓ 14. Ata Ullah Khan, Chaudhri,  
Kaula Tarar, Hafizabad,—Gujranwala  
(Muhammadan), Rural.
- ✓ 15. Atma Ram, Lala, Sirsa,—South-  
East Towns (Non-Muhammadan),  
Urban.
- ✓ 16. Bakhtawar Singh, Sardar, Kath-  
garh,—Hoshiarpur and Kangra (Sikh),  
Rural.
- ✓ 17. Balbir Singh, Lieutenant, Rao  
Bahadur, O.B.E., Gokulpur,—Gurgaon  
(Non-Muhammadan), Rural.
- ✓ 18. Balwant Singh, Sardar, Moran,  
—Jullundur (Sikh), Rural.
- ✓ 19. Bans Gopal, Chaudhri, Pleader,  
—Karnal,—Karnal (Non-Muhammadan),  
Rural.
- ✓ 20. Beli Ram, Mian, Hoshiarpur,—  
Hoshiarpur (Non-Muhammadan), Rural.
- ✓ 21. Boyd, Mr. D. J.,—Official, nomi-  
nated.
- ✓ 22. Dasaundha Singh, Sardar, Vakil,  
Ludhiana,—Ludhiana (Sikh), Rural.
- ✓ 23. Daulat Ram, Kalia, Pandit  
M.B.E., Ferozepore,—East and West  
Central Towns (Non-Muhammadan),  
Urban.
- ✓ 24. Daya Ram, Chaudhri, Bar.-at-  
Law, Ambala,—Ambala-cum-Simla  
(Non-Muhammadan), Rural.
- ✓ 25. Dilbagh Singh, Sardar Sahib,  
Risaldar, Chak No. 66, Gugera Branch,  
—Lyallpur (Sikh), Rural.
- ✓ 26. Edward Earrest Clarke, Mr.,  
Lahore,—Punjab Chamber of Com-  
merce and Trades Association, Com-  
merce,
- ✓ 27. Fagan, Mr. P. J., C.S.I.,—Offi-  
cial, nominated.
- ✓ 28. Fazl Ali, Chaudhri, Khan Sahib,  
M.B.E., Ajnala,—Gujrat West (Mu-  
hammadan), Rural.
- ✓ 29. Firoz Khan, Malik, Nurpur  
Nun,—Shahpur West (Muhammadan),  
Rural.
- ✓ 30. French, Mr. L., C.I.E., C.B.E.,  
—Official, nominated.
- ✓ 31. Ganpat Rai, Mr., Lahore,—  
Lahore and Ferozepore-cum-Sheikhu-  
pura (Non-Muhammadan), Rural.
- ✓ 32. Gibson, Mr. B. T.,—Official,  
nominated.
- ✓ 33. Ghulam Muhammad, Chaudhri,  
Parian Wali,—Gujrat East (Muham-  
madan), Urban.
- ✓ 34. Ghulam Muhammad Shah, Sai-  
yad, Jahanian Shah,—Shahpur East  
(Muhammadan), Rural.
- ✓ 35. Gopal Singh, Sardar Sahib, La-  
bana,—Non-official, nominated.
- ✓ 36. Gopal Singh, Captain Sardar,  
O.B.E.,—Non-official, nominated.
- ✓ 37. Hallifax, Mr. C. J., C.B.E.,  
—Official, nominated.
- ✓ 38. Hara Singh, Bedi, Bawa, Hono-  
rary Extra Assistant Commissioner,  
Nanakpur,—Multan Division and  
Sheikhupura (Sikh), Rural.
- ✓ 39. Hari Chand, Rai Bahadur,  
Multan,—West Punjab Towns (Non-  
Muhammadan), Urban.
- ✓ 40. Hardit Singh, Bedi, Bawa,  
Montgomery,—Sikh Landholders.
- ✓ 41. Harbarn Singh, Rai Sahib,  
Rawalpindi,—Rawalpindi Division and  
Gujranwala (Sikh), Rural.
- ✓ 42. Hussain Shah, Saiyad, Rajoa,—  
Jhang (Muhammadan), Rural.
- ✓ 43. Ives, Mr. H. W. M., C.I.E.,  
A.M.I.C.E.,—Official, nominated.

- ✓ 44. Jamal Khan, Sardar, Laghari Tumandar, Dera Ghazi Khan,—Baloch Tumandar, Landholders.
- ✓ 45. Joseph, Mr. E. A. A.,—Official, nominated.
- ✓ 46. Karim Ullah Khan, Malik, Darapur,—Jhelum (Muhammadan), Rural.
- ✓ 47. Kartar Singh, Sardar, Vakil, Ferozepore,—Ferozepore (Sikh), Rural.
- ✓ 48. Kharak Singh, Chaudhri, Rai-pur,—Amritsar-cum-Gurdaspur, Rural.
- ✓ 49. Kundan Lal Rallia Ram, Mr.,—Representative of Indian Christians.
- ✓ 50. Lajpat Rai, Chaudhri, Rai Sahib, Hansi,—Hissar (Non-Muhammadan), Rural.
- ✓ 51. Lal Chand, Chaudhri, Rao Bahadur, O.B.E., Rohtak,—North-West Rohtak (Non-Muhammadan), Rural.
- ✓ 52. Macpherson, Mr. W. R.,—Representative of European and Anglo-Indian communities.
- ✓ 53. MacWatt, Colonel R. C., I.M.S.,—Official, nominated.
- ✓ 54. Mahabat Khan, Malik, Karkan, —Sheikhupura (Muhammadan), Rural.
- ✓ 55. Mahtab Singh, Sardar Bahadur, Lahore,—(Sikh) Urban.
- ✓ 56. Manohar Lal, Mr., Bar-at-Law, Lahore,—Punjab University.
- ✓ 57. Mehdi Shah, Saiyad, Khan Bahadur, O.B.E., Gojra,—Lyallpur South (Muhammadan), Rural.
- ✓ 58. Mela Ram, Misr, Nikodar,—Jullundur-cum-Ludhiana (Non-Muhammadan), Rural.
- ✓ 59. Mir Muhammad Khan, Khan Bahadur, Vakil, Simla,—South-East Towns (Muhammadan), Urban.
- ✓ 60. Moti Lal, Kaistha, Mr., Dharm-sala,—Kangra (Non-Muhammadan), Rural.
- ✓ 61. Muhammad Abdulla Khan, Khan, Khengarh,—Muzaffargarh (Muhammadan), Rural.
- ✓ 62. Muhammad Akbar Khan, Khan Bahadur, Jhelum,—West Punjab Towns (Muhammadan), Urban.
- ✓ 63. Muhammad Amin, Chaudhri, Pleader, Sialkot,—Sialkot (Muhammadan), Rural.
- ✓ 64. Muhammad Hayat Khan Chaudhri, Ranhera,—Gurgaon-cum-Hissar (Muhammadan), Rural.
- ✓ 65. Muhammad Hussain, Saiyad, Shergarh,—Montgomery (Muhammadan), Rural.
- ✓ 66. Muhammad Jamil Khan, Chaudhri, Bah am,—Jullundur (Muhammadan), Rural.
- ✓ 67. Muhammad Raza Shah, Gilani Saiyad, Multan,—Multan West (Muhammadan), Rural.
- ✓ 68. Muhammad Saif Ullah Khan, Khan, Isa Khel,—Mianwali (Muhammadan), Rural.
- ✓ 69. Muhammad Shah Nawaz, Mian, Bar-at-Law, Lahore,—Lahore (Muhammadan), Rural.
- ✓ 70. Muharram Ali, Chishti, Maulvi, Vakil, Lahore,—Lahore City (Muhammadan), Urban.
- ✓ 71. Nabi Bakhsh, Chaudhri, Fatehpur,—Amritsar (Muhammadan), Rural.
- ✓ 72. Narendra Nath, Diwan Bahadur, Raja, Lahore,—Punjab Landholders (General), Landholders.
- ✓ 73. Nawab Din, Mr., Bar-at-Law, Sialkot,—East and West Central Towns (Muhammadan), Urban.
- ✓ 74. Owen, Dr. C. A., Lahore,—Nominated to represent Anglo-Indian community.
- ✓ 75. Panna Lal, Rai Sahib, Ambala Cantonment,—North-East Towns (Non-Muhammadan), Urban.

76. Raghbir Singh, Hony. Lieut., Sardar, O.B.E., Raja Sansi,—Amritsar (Sikh), Rural.

✓77. Raja Singh, Chaudhri, Rai Sahib, Jatwar,—Ambala Division (Sikh), Rural.

✓78. Randbir Singh, Sardar, Kalaswala, Sialkot,—Sialkot-cum-Gurdaspur (Sikh), Rural.

✓79. Sangat Singh, Sardar, Kulla,—Lahore (Sikh), Rural.

✓80. Sarup Singh, Rai Bahadur, Risaldar, Badli,—South-East Rohtak (Non-Muhammadan), Rural.

✓81. Scott, Mr. E. A., O.B.E.,—Official, nominated.

✓82. Sewak Ram, Lala, Rai Bahadur, Gangapur,—Multan Division (Non-Muhammadan), Rural.

✓83. Shafi Ali Khan, Chaudhri, Gohana,—Ambala Division (North-East) (Muhammadan), Rural.

✓84. Sikandar Hayat Khan, Lieutenant, M.B.E., Wah,—Attock (Muhammadan), Rural.

✓85. Thakar Das, Rai Sahib, Pind Dadan Khan,—North-West Towns (Non-Muhammadan), Urban.

✓86. Townsend, Mr. C. H.,—Official, nominated.

✓87. Wali Muhammad Khan, Khan Bahadur, Rai, Talwa di Rai, Ludhiana District,—Hoshiarpur-cum-Ludhiana, Rural.

✓88. Yusuf Shah, Khawaja, Khan Bahadur, C.I.E., Amritsar,—Amritsar City (Muhammadan), Urban.

89. Ellis, Mr. T. P., O.B.E.,—Secretary to Council.

On conclusion of the swearing in of members the President announced that he had it in command from His Excellency the Governor to inform the Council that His Excellency desired to address the Council and for that

purpose required the attendance of the members.

On arrival His Excellency the Governor was received by the President and Secretary and took his seat on the throne.

# HIS EXCELLENCY THE GOVERNOR'S SPEECH.

His Excellency the Governor then addressed the Council as follows:—

GENTLEMEN OF THE LEGISLATIVE COUNCIL,—

“ Our proceedings are of a purely formal character, but I have asked you to meet here for a short time to-day in order that I may say a few words of greeting to the members of this New Council.

“ The large increase in the numbers of this Council and the additional staff required for the Members of the Executive Council and the Ministers have necessitated the erection of this new building in which we are meeting. The arrangements here are, as you will observe, not yet quite complete, but when I inform you that the architects received the first orders on the 5th February last and that the building was commenced on the 6th May, you will agree with me that our best thanks and congratulations are due to the architects, engineers, and contractors by whom we have been provided with a fabric so large and so well designed which has risen like an exhalation in so short a period of time. Owing to the incomplete character of our accommodation and to certain technical reasons, into which I need not enter here, it will be necessary for me to prorogue this session of the Council after our meeting to-day. I am unable to say at present upon what date you will be asked to meet again, but as soon as a suitable date can be fixed you will receive the requisite intimation of it.

"To those of you who have emerged successfully from the polls I offer my best congratulations. Those who represent contested seats have had an experience of what canvassing means, and in some cases the canvassing has entailed misrepresentation and annoyance, but this is one of the penalties of representative institutions, and so long as it is kept within reasonable bounds we must accept it as a necessary evil. The elections through which you have passed were the first of their kind in the Province and for the success with which the arrangements were administered we owe a great debt to the late Provincial Reforms Commissioner, Mr. Halifax, who created and guided the new machinery which has brought you to this Chamber. These elections have, in my opinion, produced a Council as representative of the Province as a whole as any Council in present conditions well could be. It is true that there are other sheep who are not of this fold, men who have purposely abstained from endeavouring to enter this Council, but the number of men who in the absence of such abstention would have been with us here to-day is exceedingly small and we trust that, as opportunities offer, those of them who are held worthy of seats in this Council will gradually come to fill them. In the meantime we have every right to look on this Council as representing in as complete a manner as is possible the various interests, communities and types and thought that prevail among the people of this Province. This is what we have been aiming at and this is what we have succeeded in obtaining.

"One of your earliest duties will be to examine the budget for the ensuing year, and in doing so I trust that without losing sight of considerations of continuity you will find good

scope for fresh ventures in expenditure. The necessary data will, in due time, be placed before you and I have no desire to say anything at present to pre-judge your labours in this field. I wish, however, to allude to one point of importance in this connection and that is the recovery of the sum of 19½ lakhs of rupees imposed on the town of Amritsar as indemnity for loss or as payment for additional police after the disturbances. The Amritsar Municipality made itself responsible for the payment of the indemnity and on the strength of their undertaking the Government advanced Rs. 17,00,000 which have been distributed to those who suffered loss. The Municipality has since approached Government with a view to be relieved of its undertaking and I have left the question over for your consideration. It will be for you to decide whether Provincial finance can and should bear the whole or part of the burden, and I trust that your decision, whatever it may be, will definitely dispose of this which is one of those few current questions which serve to remind us of the deplorable disturbances of April 1919.

"In the regulation of your proceedings you will have the help of a distinguished President, Mr. Butler, who is well known to many of you and who will, I feel sure, enjoy your confidence and trust. Under his Presidentship I feel confident that the Council will maintain the dignity which should appertain to it and will conduct its business with due harmony and precision. The Council has, as you are aware, developed into its present form in an unprecedentedly short period of time. For the first ten years of my service in India the Province had no Legislative Council of any kind, and when a Council was established for the first time in 1897 it was an entirely nominated Council of nine members only. From this we moved in 1910 to an almost

entirely nominated Council of 24 and after a short interval of ten years this has developed into the almost entirely elected Council of 93 which has met to-day. When we compare this progress with the rate at which Parliamentary institutions have developed in England and elsewhere, we may well at times have apprehensions as to the results. I do not share those apprehensions, but it would be idle to say that there are no dangers before you and there are those among you whose reading of history will doubtless warn them of the weaknesses which have been found in times past to characterize assemblies created in circumstances such as yours. These your own good sense and patriotism will lead you to avoid, and knowing as I do a large number of you personally I feel justified in holding that you will in your deliberations be guided by a high and constant desire to maintain good Government and to lead the Province along the path of progress and contentment and peace.

"It is probably not known to most of those here that in many of the Christian Churches of this Province a special form of prayer has for many months past been used on behalf of the New Councils. In that form of prayer the Almighty is asked to give grace to those elected for the Councils, 'that they may approach their great task in the spirit of co-operation, loyal service and good will,' and He is further entreated to 'so bless and prosper this venture on the path of progress and to bring it to such good success that peace and harmony, service and loyalty, truth and justice may be established amongst us for all generations.' I can do nothing better than to offer up this same request and to pray in these same terms for the future usefulness and well-being of this Council.

"Gentlemen, I shall now, for the reasons I have above given, authorize your President to announce the prorogation of this session of the Council, and in doing so I wish you, individually and collectively, all success in your future labours."

A translation of the speech was also read.

**The Hon'ble the President.**—"Your Excellency, before Your Excellency issues the order of prorogation foreshadowed in Your Excellency's speech, I desire, as the first President of this new Council, to crave from Your Excellency an assurance that the rights, privileges and dignities of this Council, and of its Members, will ever be Your Excellency's particular care. And I ask for myself that whatever I say and do in this Council may be attributed to my zeal for its interests now solemnly committed to my charge."

**His Excellency the Governor.**—"Mr. President, you may rest assured that the rights, privileges and dignities of this Council and of its Members will ever be as dear to me as my own. And I am confident that the grave interests which I have committed to your charge will be in safe keeping."

The following order proroguing the Council was handed over by His Excellency to the President and was read by the latter to the Council:—

"His Excellency the Governor of the Punjab is pleased to direct that this Council be prorogued unto such date as shall be hereafter fixed, to be here holden. And this Council is accordingly prorogued unto such date.

(Sd.) E. D. MACLAGAN,

*Governor of the Punjab.*"

January 8th, 1921.

His Excellency the Governor then left the Council Chamber.



Second  
Session

## PUNJAB LEGISLATIVE COUNCIL.

Wednesday, 23rd February 1921.

The Council met in the Council Chamber at half past ten of the clock.

The Hon'ble the PRESIDENT in the chair.

### OATHS.

On the assembling of the Council the following members were sworn in:—

✓(1) The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia, C.I.E.,—  
(*ex-officio* member).

✓(2) H. A. Casson, Esquire, C.S.I.,—  
(nominated official).

✓(3) C. M. King, Esquire, C.I.E.,—  
(nominated official).

✓(4) Lala Uttam Chand,—(Lahore City, Urban).

### NANKANA TRAGEDY.

The Hon'ble Sir John Maynard.—  
“Sir, I ask your permission to read to this Council a message from His Excellency the Governor.”

### MESSAGE.

“With the permission of the Hon'ble the President I desire to send to the members of the Legislative Council a short message in connection with the recent terrible event at Nankana Sahib. I shall not now detail what happened there as my Government have taken steps to have the public fully informed of what they themselves know in connection with this tragedy. Nor shall I venture at this stage to allocate blame, as the whole matter is under police investigation, and will shortly, we hope, be placed before the Courts of Law. I myself went yesterday with the members of the Executive Council and the

Ministers to see the site of the outrage. We feel deeply the horror of the tragedy which has been enacted. The Government having secured order at the shrine by a show of military force, has placed it in the hands of a Sikh Committee and have initiated a searching police inquiry in which I am glad to say several leading Sikh gentlemen have given, and are continuing to give, valuable help.

“The case is one of much difficulty, but the Province can rest assured that every effort will be made by Government to conduct a full and impartial enquiry and to bring the offenders to justice.

“I wish to convey to the members of the Council, and through them to the relatives and friends of the victims, my sincere sympathy in the face of this terrible occurrence.”

The Hon'ble the President.—“If members permit me I will inform His Excellency the Governor that the Council appreciates the way in which His Excellency has taken it into his confidence in this matter at this the first opportunity open to him. I will also, if I am permitted, publicly express the sympathy of members with the relatives of those who have perished innocently in this tragedy.

“Have I the permission of the Council to act accordingly?”

(The members signified their assent).—  
“I will inform His Excellency accordingly.”

## SPEECH BY THE HON'BLE THE PRESIDENT.

The Hon'ble the President.—“Before we settle down to the work of the session I should like to say a few words about various matters affecting the smooth working of the Council.

“You have all received a list giving the names and addresses of the members of the Council. I shall be grateful if you will all scrutinize it, and let the Secretary know if there are any mistakes. It will also be a help if any change of address is promptly notified to the Secretary's office.

“You will find in your places to-day the fifth volume of the Legislative Council Manual, which gives the rules and standing orders of the Council. You will also find a copy of the instructions which I have issued by virtue of the powers conferred upon me by the rules and standing orders. It will help if you will all study these papers. As you know, the rules are made under the Government of India Act by the Governor-General in Council with the sanction of the Secretary of State in Council and have the authority of Parliament. They cannot be altered by any Indian legislature. The standing orders are less formal in character. To start with, and as a matter of convenience, they have been made by the Governor of the Punjab in Council, but they are intended to represent what your will is, and they can be altered by you, with the Governor's approval, in the manner laid down in the standing orders themselves. I regard it as important that you shall look upon these standing orders as your own orders, and that in administering them I shall have the feeling that I am administering what the Council itself wishes. You will do wisely, I am sure, to appoint a committee to look into and report on these orders. The instructions are my personal directions with regard to matters of detail. They

can be changed by me, as I like, and I shall readily change them to give effect to what our experience in this Council tells us to be the best system of work. I draw your attention particularly to Instruction No. 2. I have there laid down that during the session a notice placed in a member's seat is a valid notice. Members should look out for such notices accordingly.

“You will also find in your places copies of such of the remaining volumes of the Legislative Council Manual as are ready. There are six such volumes. I have already referred to volume V. Volume I contains the Acts, volumes II, III and IV, the election rules of the Council of State, the Legislative Assembly and of this Council, respectively. Volume VI includes other miscellaneous rules and instructions. Not all these volumes have been translated as yet. I am seeing to this matter.

“I now turn to the language question. The Legislative Council rules lay down that our proceedings are to be in English, but provision is made that members, who are not fluent in English, may address the Council in their own tongue. I am aware that there are several members who do not know English, and that difficulties have arisen already and will arise on this account. It will help me if members who wish notices sent them in Urdu will inform the Secretary accordingly. I have also arranged for an official interpreter always to be present at our meetings, and he will do his best to give an abstract translation of what has been said, whenever he is called upon to do so. It will assist the interpreter if members who have prepared speeches will, before they deliver them, at least let him know what they are going to say, and if possible give him an abstract of the points to which they wish prominence given in the translation. As an experiment I shall

also allow members, who wish to do so, to give an abstract translation of their own remarks themselves. Members will also, I am sure, help each other and me in the matter. I feel strongly myself that, if this Council is to represent the views of the people of this Province, there must, at any rate for some years to come, be reasonable freedom for both English and the vernaculars, and I can assure members that I will do all that the rules and standing orders allow me to do to secure this freedom.

"Then there is the question of seating. I have reserved a special seat for the Deputy President, so that he may be placed conveniently for consultation with myself and for taking my place when need arises. I have also given a block of seats to the Government representatives. Until definite parties are formed it is not possible to allot seats by groups to any one else. For the present, therefore, I have allotted seats alphabetically, and I shall continue this arrangement until some better one is forthcoming. It has been suggested to me that members may like to sit in parties of three or four friends or fellow-workers, and I have received applications from five or six such parties already. If this idea is approved I should be glad if other members will make up similar parties of three or four and inform the Secretary. If any settlement appears likely I shall ask you all to attend informally at the Council Chamber on Saturday morning with a view to a final allotment. For myself I regard the matter as one which must be settled by the general wish of yourselves. All I would say is that I request you not to ask me to group you solely by religions unless and until you are clearly satisfied that the party cleavage here is on a religious basis. Those of you who know me know that I have spent my official life in an endeavour to smooth over religious and other

differences. You will sympathise with my wish not to accentuate differences by any premature action on my own part in this matter of seating.

"There is also the question of your comfort here in Lahore. I shall always be very ready to consider what I can do to help you in any difficulties, and I hope I shall always be in close enough contact with each of you to hear and attend to your grievances. I have a private room attached to this Council Chamber, and I hope that any member who wishes to see me will do so. Times for interviews, if a fixed time is desired, can be arranged with my Personal Assistant. I should be glad if the Deputy President and Chairmen, when appointed, will help me in this respect. They can assist greatly by bringing to my notice any feeling amongst members on any subject.

"It remains to give you an idea of the programme before us. Tomorrow, after questions, the Budget will be presented. I understand that the Hon'ble Finance Member expects to take only from an hour to two hours on this task. I have arranged for a translation both of his remarks and of the financial statement to be placed in your seats before he begins his speech, so we shall not need to delay matters for an oral translation to be given. We shall then take up the debate on the Amritsar indemnity foreshadowed in His Excellency the Governor's speech last session. It is necessary to get an early decision on this point so as to facilitate the adjustment of the Budget figures. If the debate is not concluded to-morrow it will be continued on Friday morning. So soon as this question has been disposed of we shall take up a resolution dealing with the Sikh Gurdwara question. On Friday afternoon I want members with resolutions on the notice paper to come here and arrange with the Secretary and myself when each resolution shall be taken up. The Secretary will issue a formal

invitation to this effect. The Budget will be discussed generally on Monday, the 28th February and Tuesday, the 1st March. No motions can be moved then or votes taken. Only general discussion is permissible. Wednesday, the 2nd March, will be devoted to non-official business. Then from Thursday, March 3rd, to Saturday, March 12th, the Government will present demands for grants of money for each department in turn to give effect to the Budget provisions. Then motions to omit or reduce any grant, but not to increase it, can be moved, provided, under Standing Order No. 78, notice has been given two days before the day appointed for the discussion of the grant affected. Members should consult the time-table for voting grants in this connection. Copies are hung on the doors of the Council Chamber and are available in the Secretary's office. Members should also note that, under the rules, a period has been fixed by His Excellency the Governor for the discussion of each grant. Once that period is over I am required under the rules to take the vote of the Council. Once the grants are all voted we shall proceed, as at present arranged, to non-official business, and four days, namely, the 15th, 16th, 17th and 18th March, have been set aside for the purpose. Should a longer period be necessary to dispose of the business I shall approach His Excellency the Governor on the subject and shall ask him to give sympathetic consideration to your wishes in the matter.

"Finally, I wish to say a few words about my own position in this Council. For over 24 years I have been an official of Government. In the sense that I have been appointed and am liable to be removed from office by the personal act of the Governor, and receive a salary, and so on, I am an official still. But in other respects I am one no longer. I am not under the orders of the Govern-

ment, I am doing no work for the Government, and I have not been placed here to subject this Council in any way to official control. I am here as the President of and spokesman for what, for the first time in the history of the Punjab, is a legislature in the fullest sense of that term: a legislature with authority over all matters, save such as are withheld by specific provisions of the Government of India Act, and a legislature intended effectively to voice the will of the population which its members represent. It is my duty now so to conduct myself as to favour neither the Government, nor the opponents of the Government, nor any other party. I am here to hold the balance even between all parties; to see that majorities are not thwarted in carrying out policies which they are entitled under the constitution to carry out, and at the same time to protect minorities and individuals when their just claims to be heard are in danger. I can succeed in my task only if I receive support from every party and every individual in this Council, whether he be official or non-official, European or Indian, Hindu or Muhammadan, or Sikh or Christian. The more I have your confidence the more boldly can I speak for you, and the stronger will the Council be. I ask you all, therefore cheerfully and loyally to accept my rulings. I ask you also to submit to my guidance in all matters on which the President is expected and entitled to give guidance. And should any one of you feel aggrieved at any decision I may give let him come to me privately and discuss his grievance in the certainty that I shall listen patiently and sympathetically, and shall never be unready to put right what I can be shown to have done wrong. And the consideration which I ask you to give me I ask you to give also to your Deputy President and to your Chairmen, when appointed when acting in my place. I shall wel-

come them as my colleagues in a great undertaking and shall strive with their and your help to bring that undertaking to a successful issue."

## QUESTIONS AND ANSWERS.

### ACCOMMODATION FOR MEMBERS.

1. (a) **Khan Bahadur Sayad Mehdi Shah.**—Is Government aware that most of the members of the present Legislative Council, especially those coming from rural areas, have got no houses at Lahore and are thus put to a great deal of inconvenience?

(b) What steps, if any, does Government propose to take in this connection?

**The Hon'ble Sir John Maynard.**—(a) Government believes that the facts are as stated by the member.

(b) As the member is aware the Hon'ble President has already been at pains to circularize members of this Council with an offer of assistance to them, if desired, in obtaining accommodation for them in hotels during the period of their residence in Lahore for this session. If further measures are needed for the convenience of members Government will be happy to consider the possibility of their adoption.

2. **Khan Bahadur Sayad Mehdi Shah.**—Is Government also aware that some suitable arrangements have either been actually made or are in the course of being made for members of the Council of State and the Legislative Assembly?

**The Hon'ble Sir John Maynard.**—The answer is in the affirmative, but I should point out that the circumstances of members of the Council of State and the Legislative Assembly, who have to proceed outside their Province to a city where they are possibly complete strangers differ from those of members of this Council, which is meeting in the Provincial capital.

### COUNCIL MEETINGS AT SIMLA.

3. (a) **Khan Bahadur Sayad Mehdi Shah.**—Is Government going to hold Council Meetings at Simla?

(b) If the answer be in the affirmative, what does Government propose to do to provide accommodation for the members of the Council?

**The Hon'ble Sir John Maynard.**—At present Government has no intention of holding Council meetings at Simla.

4. **Khan Bahadur Sayad Mehdi Shah.**—If funds are not available for making permanent housing arrangements, does Government contemplate hiring houses for the Council members at Lahore and Simla as a temporary measure?

**The Hon'ble Sir John Maynard.**—As indicated in my answer to question 1. (b) Government will be ready to consider further steps for meeting the convenience of members, if those which have already been taken are found to be insufficient; but it wishes to ascertain first in the light of experience what is really required before committing itself to any definite programme.

### SETTLEMENT.

5. **Khan Bahadur Sayad Mehdi Shah.**—Will Government be pleased to state the period of years for which settlement has been made on the Rakh Branch and the period for which it is proposed to be made on the Gugera Branch and Jhang Branch of the Lower Chenab Canal in the Lyallpur District?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The current settlement of the Rakh Branch assessment circle of the Lyallpur District was sanctioned for 20 years with effect from the Rabi harvest of 1918 and consequently expires with the Kharif harvest of 1932.



The settlements of the Jhang Branch Circles and of Gugera Branch Circle I expired with Kharif 1920 and that of Gugera Branch Circle II will expire with Kharif 1921. In all the above Jhang and Gugera Branch Circles settlement operations are in progress, but no proposal has as yet been submitted for the consideration of Government regarding the period for which the new settlement should be made.

### EDUCATION IN LOCAL BODIES.

6. Mr. K. L. Rallia Ram.—Will Government be pleased to lay on the table a statement showing the names of the local bodies that have not spent the required percentage of money on education out of their total income for the last three years? What steps does Government propose to take to secure that the requisite percentage is spent in the future?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—The information is being collected and will be laid on the table when ready.

7. Mr. K. L. Rallia Ram.—Will Government be pleased to give the names of such local bodies as have taken practical steps to introduce free and compulsory education and have applied the provisions of the Punjab Primary Education Act of 1919 in the areas under their respective jurisdictions?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—The only local bodies which have so far asked that part II of the Punjab Primary Education Act be applied from 1st April 1921 to the areas under their control are the Municipal Committees, Multan and Lahore.

(1) Lahore Municipal Committee submitted an application with requisite statements for the introduction of compulsory primary education within the area under its control. Be-

fore submission of the application, which has been sanctioned by Government, all preliminaries were completed by the Committee. The necessary notification required under Section 7 of the Act has not yet been received for publication in the *Punjab Gazette*.

(2) As regards the Municipal Committee, Multan, all the preliminaries have been completed, viz.—(a) Application received and sanctioned by Government; (b) the requisite notification published in the *Punjab Gazette*; (c) bye-laws drawn up by the Committee and approved by Government.

In both the cases Government has agreed to pay half of the additional expenditure on the scheme.

### HEADMASTERS OF GOVERNMENT HIGH SCHOOLS.

8. Mr. K. L. Rallia Ram.—(a) Is Government aware of the fact that the present scale of salaries of the headmasters of the Government High Schools is quite inadequate? (b) Is Government contemplating the revision of their grades as will give them immediate relief and satisfaction?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—Since notice of this question was received the scale of salaries has been revised. There are 5 headmasters in the Punjab Educational Service; 17 headmasters in the Subordinate Educational Service in the grade of Rs. 200—10—250; and seven in the grade of Rs. 140—10—190.

### SALARIES OF JUNIOR VERNACULAR TEACHERS.

9. Mr. K. L. Rallia Ram.—(a) Is Government aware of the fact that the scale of salaries of the Junior Vernacular Teachers is too low to meet

the stress and strain of the present conditions, and that a number of them earn money by private tuition to make both ends meet? (b) What steps does Government propose to take to improve their condition?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(a) Government realising that the salaries of Junior Vernacular Teachers in Government service, i.e., Rs. 20—2—30, was too low to meet the stress and strain of the present conditions, has only recently revised the scale, and raised it to Rs. 35—3—50.

(b) The vast majority of Junior Vernacular Teachers are in the employ of District Boards and Municipalities. Many of these authorities have recently increased the salaries of teachers.

### CONTROL OF HIGH SCHOOLS.

**10. Mr. K. L. Rallia Ram.**—Is Government aware of the fact that delegation of certain powers of the Inspectors to the newly-created District Inspectors with regard to the partial control of High Schools has caused very great resentment among the Headmasters of High Schools in general, and that it is likely to impair the efficiency of the secondary education?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Government was not aware that the change only recently introduced has caused great resentment among the Headmasters of High Schools or is likely to impair the efficiency of the Secondary Education. Inasmuch as this change was intended to advance the efficiency of Secondary education Government will re-examine the whole question. Government does not desire in any way to lower the status of Headmasters of High Schools.

### SELECTION GRADE, INDIAN EDUCATIONAL SERVICE.

**11. Mr. K. L. Rallia Ram.**—Is Government aware that the delay in the publication of the revised scale of the Subordinate Education Service is causing much discontentment and dissatisfaction and in view of this fact is Government prepared to expedite the publication?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—The revised scale has now been published.

**12. Mr. K. L. Rallia Ram.**—(a) Is Government aware of the fact that the recent regulation of the Education Department authorising Principals of Government Colleges to make confidential reports on I. E. S. members of their staff with a view to their suitability for the selection grades is resented by the junior members of the service and is not calculated to protect their interests?

(b) Is Government further aware of the fact that this regulation makes an invidious distinction between the status of the inspectorial and professional branches of the service in so far as no reports are to be submitted on the work of Inspectors of Schools?

(c) In view of these facts is Government prepared to withdraw the regulation in question?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**

(a) No.

(b) No such distinction is made.

(c) No. In fact the regulation is in conformity with regulations governing other Imperial services.

### CONDUCT OF POLICE.

**13. Mr. K. L. Rallia Ram.**—Can the Hon'ble Finance Member state

what rules there are laying down the manner in which subordinate police officers and constables should behave towards the public in the discharge of their public duties?

What steps are taken to see that these rules are understood and obeyed?

**The Hon'ble Sir John Maynard.**—The behaviour of the police towards the public is very carefully regulated by law and rule. Such matters as the power of arrest, the circumstances in which the police may investigate, or may abstain from investigating on information of an offence, the procedure to be followed and the record to be kept in the course of investigation and the maximum period of time for which an accused person may be kept in police custody without being brought before a Magistrate, are regulated by the Code of Criminal Procedure. A police officer is forbidden by rule to keep any person under restraint without putting him under formal arrest. The rules direct that every police officer shall keep his temper thoroughly under control, shall act with courtesy on all occasions and shall take no notice of abusive or irritating language and when defending himself or lawfully enforcing his authority shall act with calmness and shall use as little violence as possible.

It is the principal function of the Police Training School at Phillour to inculcate in its students certain habits and qualities necessary to a good Police officer. The first rule of the Training School Manual defines the habits and qualities required and specifies courtesy as one of them. A very large proportion of all Police officers down to the rank of Head Constables attend the Police Training Schools for courses which ordinarily last for a year in all. They then receive instructions, among other matters, in the law and rules which concern their work and in

the principles of conduct which they are to follow.

A school for the instruction of all recruits is maintained at the headquarters of every district and so far as possible every Police officer receives two months' instruction in this school.

The means of enforcement of the rules is in the first place the Police Diary maintained under the Police Act and the formal record of proceedings which an investigating Police officer is required by the Code of Criminal Procedure to maintain. A copy of the latter must be despatched at the close of each day to the Superintendent of Police. In the next place the Courts and the inspecting and supervising officers of Police are charged with the duty of enforcement. Every Police officer who is guilty of any violation of duty or rule, or offers any unwarrantable personal violence to any person in his custody is liable under section 29 of the Police Act to fine and imprisonment.

#### LABANA SIKHS.

**14. Sardar Sahib Sardar Gopal Singh.**—Will Government please state if Labana Sikhs are notified as an agricultural tribe throughout the Punjab, except in the districts of Lyallpur, Jhang, Shahpur and Montgomery?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The Labana has been notified as an Agricultural Tribe in 11 districts only, namely, Ambala, Hoshiarpur, Jullundur, Ludhiana, Ferozepore, Lahore, Amritsar, Gurdaspur, Sialkot, Gujrat and Gujranwala.

**15. Sardar Sahib Sardar Gopal Singh.**—Will Government be pleased to notify them as an agricultural tribe in these four districts also?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—There do not appear to be any Labana Sikh land-

owners in Montgomery, and in the other three districts mentioned the numbers are few, and as they all appear to be located in Colony tracts, it is improbable that they require protection: in any case, the fact that the Labanas of any district need protection should first be represented to the local officers.

**16. Sardar Sahib Sardar Gopal Singh.**—Is Government aware that Labana Sikhs are being entered in the same census column as Bazigars and other low and criminal castes?

**17.** Is Government aware that the Labana Sikhs follow the occupation of agriculture and military service, and that the classification in the census papers referred to is keenly resented by them?

**18.** Will Government be pleased to remove this grievance?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Labana Sikhs will not be entered in the same category as Bazigars and other low and criminal caste in the census returns.

#### AMRITSAR INDEMNITY.

**19. Sardar Bahadur Sardar Mahtab Singh.**—In the matter of indemnity imposed on the City of Amritsar for disturbances of April 1919 will Government be pleased to state—

(a) What was the total amount of Government and Municipal taxation realised from the city of Amritsar in 1918?

(b) What was the number of persons convicted for disturbances in the city of Amritsar?

(c) How many of these convicts were permanent residents of Amritsar City and how many belonged to the temporary population of labouring and visitors' class?

(d) From the possession of how many of these convicts stolen property had been recovered?

(e) How many of these persons from whose possession stolen property was recovered belonged to permanent population of the city and how many to the temporary population of labouring and visitors' class?

(f) What was the amount of taxes paid in 1918 by those convicts who were permanent residents of the city and were found in possession of the stolen property and convicted?

(g) What percentage of the total city population these permanent residents found in possession of stolen property and convicted formed, and what percentage of the total taxation they paid in 1918?

(h) What was the amount of compensation offered to Miss Sherwood by Government and what amount she eventually agreed to accept?

(i) Were any Police officers found in possession of stolen property and convicted?

(j) Were any Government servants found to have taken advantage of the disturbances and misappropriated Government funds and property in their charge and declared that it had been looted by the mob? Were any such men subsequently convicted?

(k) Are the amounts misappropriated by Government servants included in the amount of indemnity imposed on the city?

**The Hon'ble Sir John Maynard.**—

(a) The amount is not ascertainable because the records of the Amritsar Municipality were destroyed in the burning of the Municipal Office by rioters.

(b) The number of persons convicted in connection with the disturbances in the Amritsar City is about 224.

(c), (d), (e), (f), and (g) Information in regard to these matters is not available.

(h) The award made by the District Magistrate in Miss Sherwood's case was Rs. 50,000. She declined to accept more than Rs. 1,500.

(i) No Police officers were found in possession of or convicted for possessing stolen property in connection with the disturbances.

(j) In three cases sub-postmasters were charged for the misappropriation of Government funds and property in their charge. Convictions were obtained in two cases but only one conviction was upheld on appeal.

(k) In the cases referred to above the amounts alleged to have been misappropriated were not included in the amount of the indemnity imposed on the Amritsar city.

### SEDITIONOUS MEETINGS ACT.

20. **Diwan Bahadur Raja Narendra Nath.**—Will Government be pleased to state, with regard to each district in which prohibition against public meetings is in force under the Seditious Meetings Act, the facts which justified Government to issue notifications under the Act?

**The Hon'ble Sir John Maynard.**—Speeches inciting to violence have been made in many places in the Punjab during the past six months. I have selected a few extracts from speeches reported to have been delivered in the districts to which the Seditious Meetings Act was afterwards applied, generally to rural audiences which are naturally inflammable and apt to act upon incitement. I have avoided mention of the names of the speakers, or of the religious communities to which they belong.

One speaker quoted the words of a great religious teacher and represented

him as having said that it was no offence to draw the sword against tyrants and rid the world of them. The context was an attack upon the Government. Another said: Freedom cannot be secured without bloodshed or a great revolution and Indians should be prepared for the worst if they want freedom. Another said: We could easily extirpate the European by brickbats; and another cited with approval in the same meeting the killing of the demon Ravana by Raja Ram Chandra, because he was hard on his subjects.

Another said: A member of a particular religion (which he named) is not a true follower of that religion, if he does not use violence.

Another said: The time has come to fight for our country with drawn swords, and another, in the same meeting, called upon his audience to raise an army. A third in the same meeting said that he had fifty followers who were prepared to sacrifice their lives if he were arrested.

Another referred to the small number of Europeans in India and asked the audience who could resist them if the Police and the Army were "all right."

The application of the Seditious Meetings Act to Lahore City was deferred as long as possible but was ultimately decided upon in consequence of the riotous behaviour of crowds at the Council Election.

There was long hesitation over the application of the Act to Jullundur in which district several of the above cited speeches were delivered. Finally, the decision of Government to apply the Act was due to the following incident of which some preliminary explanation is necessary.

In 1872 the members of a particular sect murdered a number of butchers



and finally made an armed attack upon a Native State. A meeting to which a number of members of this sect had been invited, and many of them were present, was held in January last. Speakers from outside the district referred sympathetically to the events of 1872, and described those of the sect who lost their lives in and after the armed attack referred to as martyrs.

Many other speeches offering a dangerous incitement to violence have been delivered, but in the parts of Punjab where the audiences are less inflammable than in its central districts.

Mr. Ganpat Rai asked a supplementary question.—Who reported these speeches and will the names of the speakers be given?

The Hon'ble Sir John Maynard.—The reports were made mainly by the Police. The names of the speakers will not be given because it is considered undesirable to mention them in public.

21. Diwan Bahadur Raja Narendra Nath.—Will Government be pleased to state, whether (a) the Ministers were consulted before the Notifications under the Seditious Meetings Act about Jullundur District was issued? (b) If they were not consulted what were the reasons for which the instructions contained in paragraph 6 of the report of the Joint Committee were ignored?

The Hon'ble Sir John Maynard.—It would be a bad constitutional precedent to disclose the nature of advice tendered by Ministers on questions which are not transferred subjects, or even to make public the fact that they had, or had not been, consulted in regard to any such subject. It is sufficient to say that it is the intention of the Governor and his practice to foster the habit of joint deliberation between the members of the Executive

Council and the Ministers sitting under the chairmanship of the Governor.

#### AMRITSAR INDEMNITY.

22. Diwan Bahadur Raja Narendra Nath.—Will Government be pleased to state—

(a) What amount out of 17 lakhs which the Amritsar Municipal Committee has been asked to realise is on account of the maintenance of punitive police and what amount on account of compensation paid to those who suffered at the hands of the rioters?

(b) How much of this latter sum was paid to Europeans and how much to Indians?

(c) What procedure was adopted in assessing compensations and who were the officials entrusted with the work of assessment?

The Hon'ble Sir John Maynard.—(a) The Rs. 17 lakhs referred to is on account of compensation sanctioned under Section 15-A of the Police Act for loss of life and damage to public and private property and does not include the amount to be realised on account of punitive police. The assessment on the latter account, as at present known, is Rs. 1,48,682-6-5.

(b) The amount paid to Europeans and Indians is Rs. 4,99,905-13-4 and Rs. 11,56,092-4-4 respectively. For the purpose of these figures the National Bank of India has been included among Indian victims and the Chartered and Alliance Banks among European victims. It may be added here that out of Rs. 11,45,501 paid to the National Bank of India Rs. 8,36,460 were on account of piece goods belonging to Indian merchants and Rs. 26,188 on account of interest on value of goods looted by the rioters. The amount by which these two sums fall short of the 17 lakhs represents compensation awarded to Government departments.

(c) Compensation under Section 15-A of the Police Act is assessed by the District Magistrate under Section 15-A (2) (c) and is subject to the revision of the Commissioner of the Division or the Local Government. Similarly the cost of additional police is assessable by the District Magistrate under Section 15 (4) of the Police Act. No procedure is laid down for making such assessments. The District Magistrate is free to adopt such procedure as circumstances may demand.

**Mian Muhammad Shah Nawaz** asked a supplementary question.—What compensation was awarded to the National Bank of India?

**The Hon'ble Sir John Maynard.**—Rs. 11,45,501 out of which Rs. 8,86,450 were on account of piece-goods belonging to Indian merchants.

**Mian Muhammad Shah Nawaz** asked another supplementary question.—Is it a fact that about Rs. 60,000 was awarded by way of compensation to the National Bank of India for interruption of business?

**The Hon'ble Sir John Maynard.**—I must ask for notice. I have not got the facts, and am not able to answer this question.

#### PENSION OF GAUCHAR SINGH; RETIRED INSPECTOR OF POLICE.

**23. Diwan Bahadur Raja Narendra Nath.**—Will Government be pleased to state the facts on which was based the order sequestering for two years the pension of Gauhar Singh of Sheikhpura, retired Inspector of Police? Is Government still satisfied that Gauhar Singh's fault was heinous enough to justify the punishment inflicted?

**The Hon'ble Sir John Maynard.**—During the disturbances of April 1919 Gauhar Singh, a lambardar of Sheikhpura and a retired Inspector of Police,

twice refused to carry out his duties in connection with the protection of the Railway when called upon to do so by lawful authority. He also put difficulties in the way of the enquiries directed against his sons who were the ring leaders of the local disturbances. The question of further withholding or allowing the pension will be considered in July 1921. Government is satisfied that Gauhar Singh's fault was sufficiently heinous to justify the punishment of two years' sequestration of pension.

**Diwan Bahadur Raja Narendra Nath.**—Has he been given a copy of the order sequestering his pension?

**The Hon'ble Sir John Maynard.**—I am not in possession of the facts. I do not know, and I must ask notice for this question.

**Diwan Bahadur Raja Narendra Nath.**—Is Government aware that an official made a statement before the Hunter Committee that as far as he knew Gauhar Singh was innocent.

**The Hon'ble Sir John Maynard.**—I must ask notice of the question. I cannot answer it.

#### CHARAS.

**24. Diwan Bahadur Raja Narendra Nath.**—Will Government be pleased to give figures showing income derived from (a) Import duty on Charas; (b) fees on licenses issued for the sale of Charas?

(a) **The Hon'ble Lala Harkishan Lal.**—The income derived from import duty on Charas will be found in Imperial Return No. I of the Report of the Excise Administration of the Punjab which is obtainable from all agents for the sale of Punjab Government publications.

(b) Licenses for the sale of Charas are not given separately but are combined with those for other Hemp drugs,

The license fees for Hemp drugs will be found in the same table.

### GRANTS FOR AGRICULTURAL EXPERIMENTS.

25. **Diwan Bahadur Raja Narendra Nath.**—Will Government be pleased to lay on the table a statement showing—

(a) special grants made for agricultural experiments ;

(b) the area of each grant ;

(c) the names of grantees ;

(d) the terms on which grants were made ;

(e) the period for which they were made ;

(f) the steps taken to give full publicity to the terms to invite applications before sanctioning grants in each case ;

(g) facts which justified the extent of the area covered by the grant in each case for the success of the experiment ?

Is Government satisfied that the terms of the grants are fulfilled in each case ; if not, what steps does the Government propose to take to compel fulfilment ?

**The Hon'ble Lala Harkishan Lal.**—Will the member kindly repeat his question to-morrow ?

### REMISSION OF LAND REVENUE.

26. **Diwan Bahadur Raja Narendra Nath.**—Is it a fact that in Gurgaon District differentiation is made between rich and poor land-owners with regard to grant of relief in the way of suspension and remission of land revenue on account of drought ? Is such differentiation observed in other districts of the Punjab also, and in what districts ?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla.**—The instruc-

tions which are in force in this province regarding the matter which forms the subject of the question will be found in paragraphs 562 and 573 of the Land Administration Manual. As regards suspensions of fixed land revenue demand the general principle is that no discrimination between individual rich and poor land-owners within the same estate should be attempted. On the other hand as between estates or as between definite subdivisions of estates (such as pattis or tarafs) considered as units discrimination is permissible and is practised except in cases of widespread or prolonged scarcity, so that estates which are economically strong and in possession of reserve resources may, after enquiry from and consultation with the land-owners concerned, be called upon to pay the demand falling due while in the case of weaker estates suitable suspension would be made. Discrimination between individual rich and poor land-owners is only permissible in the rare cases where the interests of tenants are being involved, Government has got power to secure the suspension of the fixed rents of such tenants by landlords, but even in such cases only the following three classes may be excluded from the relief afforded by suspensions:—Firstly, the men who are known to be bad landlords and rack-renters. Secondly, those well-to-do landlords who can pay without imperilling their future solvency. And thirdly, the capitalist, money-lending and professional classes who hold land purely as an investment. As regards ultimate remission of suspended land revenue, discrimination is permissible in favour of land-owners who mainly cultivate their own lands as compared with big landlords whose estates are mainly cultivated by tenants.

As regards the Gurgaon District Government is not aware that these principles laid down have been contravened

## UNIVERSITY PROFESSORS.

27. **Diwan Bahadur Raja Narendra Nath.**—Has the attention of Government been drawn to a letter published in the *Tribune* of 14th January under the signature of "Pro Bono Publico" in which is given a list showing salaries sanctioned for Indians and Europeans and University professors of various subjects?

Will Government be pleased to state why the initial pay of Indians is lower than that of Europeans, though the qualifications of the two classes of professors are equal?

**The Hon'ble Khan Bahadur Mian Fazal-i-Husain.**—Inaccuracies in the letter under question were corrected by the Joint-Registrar in his letter published in the *Tribune* dated the 30th of January 1921.

It is not the policy of the University that the initial pay of Indians as *Indians* should be lower than that of Europeans. No such distinctions are made in the terms of advertisements or in the recommendations made by the Selection Committee.

In the case of the Chair for the Physical Chemistry the advertised salary was Rs. 1,500—2,000. It was hoped to secure an F. R. S. for that salary. When no F. R. S. applied for the post it was felt to be fair to lower the salary. The original suggestion for lowering the salary did not come from any European gentleman. No one has been appointed as Professor of Chemistry so far.

Another Professor was in the service of the University before the present scale of salary for University Professors was even remotely suggested on a salary of Rs. 600 per mensem. Later on he was put in a grade of Rs. 600—50—1,250.

There are eleven Indian gentlemen on the Syndicate out of a total number

of seventeen and all these gentlemen are elected by the various Faculties. In a Syndicate so composed no racial considerations prejudicial to Indian interest could ever be operative.

**Diwan Bahadur Raja Narendra Nath.**—But is it a fact that initial salaries are different in many cases?

**The Hon'ble Khan Bahadur Mian Fazal-i-Husain.**—The question is answered by the answer already given.

28. **Diwan Bahadur Raja Narendra Nath.**—Will Government be pleased to lay on the table rules relating (a) to Loyalty grants on the Jhelum Canal; (b) grant of new jagirs in the Punjab?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia.**—(a) If the Hon'ble Member will please say what he means by "Loyalty" grants on the Jhelum Canal the papers, if any, will be laid on the table.

(b) A copy of the Punjab Government Resolution No. 8897, dated 5th April 1917, containing the orders about the grant of new jagirs in the Punjab is placed on the table. It was published in the *Punjab Gazette*, Part I, dated 6th April 1917.

EMPLOYMENT OF OFFICIALS  
MUTUALLY RELATED.

29. **Diwan Bahadur Raja Narendra Nath.**—Will Government be pleased to lay on the table the circular issued in the time of Sir Dennis FitzPatrick forbidding the employment in a District Office of officials mutually related and of persons related to members of the Municipal Committee and District Boards in offices of local bodies with which the members are connected? Are the orders still enforced?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—A copy of Punjab

Government letters\* No. 472, dated the 12th June 1895, and No. 1053, dated the 8th December 1896, is laid on the table. The orders are in force and as such presumably enforced—no case of their violation has been brought to the notice of the Government.

### SEDITIONS MEETINGS ACT.

30. **Mr. Ganpat Rai.**—Will Government be pleased to state—

(a) To what districts in the Punjab the provisions of Seditious Meetings Act No. 10 of 1911 has been applied since the withdrawal of Martial Law in 1919?

(b) Give full reasons for applying this Act to each district, and particularly the Sharakpur Tahsil of Sheikhpura District in which no meetings have been held within the last 40 years?

(c) What are the reasons which have led the Punjab Government to make free use of this Act in this Province as compared with other major provinces of India?

(d) Is Government aware that the use of this Act by Government is causing great resentment amongst the people of this province and ill-feeling of the people against Government?

(e) Has attention of Government been drawn to a note in the *Tribune* newspaper of Lahore, dated 27th January 1921, page 1, column 4, under the heading "Ministers and the Seditious Act" and another note on the similar subject in the *Pandematram* newspaper of Lahore, dated 28th January 1921, page 2, columns 1 and 2, discussing the application of the Seditious Meetings Act to Jullundur District, and will Government state—

(f) whether the Ministers were consulted officially or non-officially before the Act was applied to that district?

(4) if not, whether there is any intention of Government to consult them in future?

(f) It is understood that the application of the Act to Jullundur District was sanctioned by His Excellency the Governor and the Executive Members. Will the Government state whether this sanction was given un-animously or there was any difference of opinion?

(g) Has the attention of Government been drawn to a note in the *Bande-matram* newspaper of Lahore, dated 28th January 1921, page 3, column 1 under the heading of "Cry against the Seditious Meetings Act in the municipality," and is it a fact that the Deputy Commissioner tried to get the resolution of the municipal committee, Jullundur, by which they expressed their disapproval of the application of the Act, reconsidered but failed hopelessly?

(h) When does Government intend to withdraw the application of the said Act from all the districts to which it has been applied and allow the public freedom of speech at public meetings to attain Swaraj?

**The Hon'ble Sir John Maynard.**—

1. (a) The provisions of the Seditious Meetings Act have been applied to the districts of Lahore, Amritsar, Sheikhpura and Jullundur since the withdrawal of Martial Law.

(b) Reasons for applying the Seditious Meetings Act were published in a *communiqué* issued by the Local Government on the 25th October 1920 to which the questioner is referred. The questioner is also referred to the quotations from violent speeches which were cited in answer to the similar question put by D. B. Raja Narendra Nath. The inclusion of Sharakpur in the notification announcing the Sheikhpura District to be a proclaimed area is due

to the proximity of that tahsil to the Lahore District. After the incidents which occurred last Sunday, my friend will not be surprised that this tahsil was included.

(c) The principal reason is the character of the people of the Punjab, which makes them more likely to act upon incitements to violence than the people of other provinces.

(d) Government is aware of this fact but believes that it is because the great mass of sober opinion is unacquainted with the dangerous character of the speeches made. The questioner's attention is again invited to the quotations from violent speeches which were cited in reply to another question asked by Diwan Bahadur Raja Narendra Nath.

(e), (f), (g) Government has seen the criticisms in the local press and refers the questioner to the answer given to a similar question by Diwan Bahadur Raja Narendra Nath.

(g) Government has no information on the subject.

(h) Government has no intention of withdrawing the application of the Act from the districts in question until it becomes evident that dangerous incitements to violence and disorder are likely to cease.

### ELECTION OF DEPUTY PRESIDENT.

Mr. Ganpat Rai.—Sir, with your permission, I wish to say a few words. There is a general desire among the members that before actual balloting takes place, you will please allow them a few minutes with a view to arriving at a unanimous decision as regards nomination.

Diwan Bahadur Raja Narendra Nath.—I beg to endorse that request.

The Hon'ble the President.—I will first take the nomination papers and see how many members have been nominated. I will then be quite willing to give five or ten minutes for consultation.

The following nominations have been handed in :—

(1) Chaudhri Muhammad Amin proposed by Khan Bahadur Raja Muhammad Akbar Khan, and seconded by Sardar Jamal Khan.

(2) Mr. Ganpat Rai proposed by Mr. Moti Lal Kaistha and seconded by Lala Uttam Chand.

(3) Sardar Bahadur Sardar Mahtab Singh proposed by Mr. K. L. Rallia Ram and seconded by Captain Sardar Gopal Singh.

I now adjourn the meeting for consultation for five minutes.

### RE-ASSEMBLED AT 12 NOON.

Mr. Ganpat Rai.—I withdraw from my candidature for the Deputy Presidency.

The Hon'ble the President.—There are now two candidates for the Deputy Presidency before the Council—Chaudhri Muhammad Amin and Sardar Bahadur Sardar Mahtab Singh. Instruction No. 1 issued under Standing Order No. 5 (3) directs that a ballot be taken by a card vote. Blank cards have been distributed to the members of the Council. The members will write thereon the name of the candidate for whom they desire to vote. Members will then hand in their cards to the Secretary who will count them and inform the President of the result.

Votes were collected, and the result was announced by the Hon'ble the



President. The voting was as follows:—

	Votes.
Sardar Bahadur Sardar Mahtab Singh ..	48
Chaudhri Muhammad Amin ..	37
One spoilt vote.	

The Hon'ble the President declared Sardar Bahadur Sardar Mahtab Singh elected as Deputy President.

**Sardar Bahadur Sardar Mahtab Singh.**—Sir, I thank the members of this Council for doing me this honour, and I hope I shall be able to discharge my duties to their satisfaction.

### DEPUTY PRESIDENT'S (PUNJAB LEGISLATIVE COUNCIL) SALARY ACT, 1921.

**The Hon'ble Sir John Maynard.**—Sir, this small Bill for which I am responsible is called the Deputy President's (Punjab Legislative Council) Salary Bill, 1921, and it was published in the *Punjab Government Gazette*, dated the 11th February 1921. It has also been translated into the vernacular. In these circumstances it is not necessary under clause 18 of the Legislative Council rules to move for leave to introduce the Bill. I proceed at once to move that the Bill be taken into consideration. I need only briefly explain that under the provisions of the Government of India Act a Deputy President has to be elected (who has now been elected) subject to the approval of the Governor to preside at meetings in the absence of the President. His salary has to be determined by Act of the local legislature. This Bill proposes a salary of Rs. 5,000 per annum for the Deputy President. That sum has been considered to be appropriate to the services and the amount of time which it is expected that the Deputy President

will have to give to us. I move, Sir, that this Bill be taken into consideration by the Council at once.

**Maulvi Muharram Ali Chishti.**—With your permission, Sir, at this stage, I think, we may be permitted to ask an explanation, because neither in the speech of the Hon'ble mover, nor in the Act, do we find it stated whether the Deputy President appointed to the office will be a whole-time man, and whether he will be allowed to take part in party politics or not. It has been suggested to me by several friends that in view of the announcement made by the United Provinces Government on the subject we should have an assurance as to whether the gentleman who is appointed—who will be one of our elected members—will be considered a whole-time man. They declare that he will be a whole-time man, and that he will not be able to take part in party debates. Some of us feel anxiety on this point, because some of our best men of the elected members have been snatched away, and we can ill-spare other good men for whole-time service and thus deprive ourselves of their assistance in party debates.

With these few remarks at this stage I will not say anything further.

**Diwan Bahadur Raja Narendra Nath.**—The matter is one of great importance. There is nothing in the Act, nor in the rules and standing orders, but it is a conventionality—well understood—that the President is supposed to be absolutely neutral in politics. Well, if the President is to remain neutral, does that conventionality apply to the Deputy President as well? It is a matter on which I for one and other members of the Council, I believe, also would like to have an assurance.

The motion that the Bill be taken into consideration at once was put and carried.

**The Hon'ble Sir John Maynard.**—I should like to say at the beginning that I sympathise much with those members who expressed the feeling that a certain number of their good men are being taken away from them into the service of the Government, who is no doubt presumably going to make a bad use of them as servants. But as my friend Mr. Harkishan Lal has very aptly remarked in the Vernacular the Hon'ble Ministers do not cease to be the servants of this Council or of the people because they have become Ministers, and in the same way those who are their Secretaries do not cease to be servants of the public. I think I may almost go further and say that we, who are officials, we too deem ourselves to be the servants of the public. As regards the constitutional position I may say for the satisfaction of those members who feel qualms on the subject of the position of the Deputy President that the constitutional position will be this. The Deputy President will be perfectly free to take part in the debate when not actually presiding or taking the chair. So that difficulty, I hope, may be considered to be removed. It only remains for me now, as no amendment has been proposed, to move that this Bill be passed. I think I need not repeat what has been already said. It is a matter of a very simple kind, obviously a necessary one, and the salary is probably the sum which is quite appropriate in the circumstances.

**Rai Bahadur Iala Hari Chand.**—I propose an amendment—that the salary be reduced to Rs. 1,000 per annum.

**The Hon'ble Sir John Maynard.**—I rise to a point of order. As far as I am aware no notice of any amendment has been given, and two days' notice of amendment is required.

**The Hon'ble the President.**—Under Standing Order No. 47 if notice of a

proposed amendment is not given two clear days before the day on which the Bill is to be considered any member may object to the moving of the amendment, and such objection shall prevail unless the President in the exercise of his power to suspend this standing order allows the amendment to be moved. I think that this amendment should be considered. The debate can be taken up on a later day if Sir John Maynard is not prepared to meet the amendment at once.

**The Hon'ble Sir John Maynard.**—I understood that the mover of the amendment proposed a salary of Rs. 1,000 per annum. I think I should be prepared to meet that at once. One has to realise this that the Deputy President must be a gentleman of some status in the professional world or in an occupation which is probably lucrative and profitable; he must expect to be occupied for a very considerable fraction of the year in Council work; he must be present obviously on every day, at every meeting; he must be prepared at any time to take the chair. We must consider that the budget session will always last at least three weeks and may possibly last for more than three weeks. On this particular occasion I think it is likely to last 28 days in all, and we must be prepared for this that there will be at least two other sessions in the course of the year. I think it is not too much to say that the Deputy President will be occupied actually with the Council work for a period of not less than 2½ months and possibly three. In these circumstances it appears to me that Rs. 1,000 per annum for services of this duration and this exacting character would be most inadequate and that a sum of Rs. 5,000 is on the contrary the appropriate sum to offer.

**Mr. Ganpat Rai.**—Sir, with your permission I beg to move that the Bill

should be referred to a select committee.

**The Hon'ble the President.**—The Hon'ble member proposes that the Bill be referred to a select committee. But once the motion has been passed that the Bill be taken into consideration it is only possible to move an amendment. I cannot allow the Hon'ble member's motion.

**Rai Bahadur Lala Hari Chand.**—After having heard the Hon'ble Sir John Maynard I withdraw my amendment.

**Mian Bell Ram.**—Sir, with your kind permission I beg to make some observations on this point. This Bill is no doubt now before us and all of us know what has been done in other Provinces and what salary has been allowed there. In addition to this Bill a proposal regarding the salaries of Secretaries is to be brought before the Council. This proposal has taken us by surprise. We read about this in newspapers but have had no further information. The Reforms have brought us a new form of administration. It is a matter which affects the people very widely. It is a pecuniary matter. It is a burden on the people. It will therefore be best if this question be considered at greater length than seems to be the intention.

**The Hon'ble the President.**—What is your amendment?

**Mian Bell Ram.**—The proposal which I submit is that the Bill should not be taken immediately into consideration and that it should not immediately be passed. It has gone through ordinary stages and should now be referred to a select committee and should now be published for general information. Members should be given sufficient time to consult their constituents.

**The Hon'ble the President.**—The Council has given its consent to a motion that the Bill be taken into consideration. The only question that now remains is the amount of salary to be fixed. Hon'ble members should now bring forward amendments about the salary of the Deputy President.

**he Hon'ble Sir John Maynard.**—If there is a desire on the part of Hon'ble members that an opportunity should be given them to consider this Bill, before it is passed, I have no objection. I would, however, like to point out that the proposed pay is not Rs. 5,000 a month, but Rs. 5,000 a year.

**Chaudhri Bans Gopal.**—The Hon'ble Sir John Maynard says that this Council will keep the Deputy President busy in office for about three months and that too only when the Hon'ble the President is absent. I do not think that we want his services, as we would always like to have the Hon'ble the President amidst us. So I think that we would not take much time or much work from the Deputy President. In this case I submit that the salary should be fixed at Rs. 3,000, i.e., Rs. 1,000 a month. This would be quite an adequate recompense for the service that the Council will take out of the Deputy President, if it takes any at all. The guidance of the Hon'ble the President is important and we do not wish him to be absent often, and I submit this amendment that the salary of the Deputy President be fixed at Rs. 3,000 a year. That would be an adequate recompense for all that the Deputy President shall have to do.

**The Hon'ble the President.**—I will now take a vote as to whether the salary should be Rs. 3,000 instead of Rs. 5,000 per annum.

The amendment that the salary should be Rs. 3,000 per annum instead of Rs. 5,000 was put and lost.

The motion that the Bill as introduced be passed was put and carried.

### RESOLUTION *re* PAY OF COUNCIL SECRETARIES.

The Hon'ble Sir John Maynard.— I now move the following resolution :—

That this Council resolves that the salary to be paid to each Council Secretary, who shall be appointed under the provisions of Section 52 (4) of the Government of India Act, shall be as follows, namely :—

- (1) For each Budget Session the sum of Rs. 2,000.
- (2) For every other Session the sum of Rs. 1,000.

This is a proposal not dissimilar in character to that which this Council has just been discussing. Under Section 52 (4) of the Government of India Act four non-official members of this Council have been appointed to be Council Secretaries. The law requires their salaries to be determined by the vote of this Council. For the Budget Session I propose that Rs. 2,000 be paid to each Council Secretary and for the other sessions which presumably will be shorter and are not likely to last at most more than a fortnight each, a sum of Rs. 1,000 be paid. I am not sure whether it is right for me to justify the actual figures of salaries which are proposed, but I think that a professional man who has any kind of occupation will be considerably out of pocket unless he gets something for his work. For that reason the suggestion is made that for the lengthiest session Rs. 2,000 and for the shorter— it may be one, or may be two, or more—a sum of Rs. 1,000 for each such session shall be fixed.

Rai Bahadur Lala Sewak Ram.— Sir, I beg to suggest an amendment ; that instead of the salary being taken in this way, a fixed salary of Rs. 3,000 a year be paid to each Council Secretary.

Mr. K. L. Railla Ram.—Before we are asked to vote, will the Hon'ble member please let us know what the duties of a Council Secretary are going to be, and the nature of those duties, and whether they will be required before and after the session also.

The Hon'ble Sir John Maynard.— I think the duties of a Council Secretary may be described as being similar in character to those of a Parliamentary Secretary to a Minister—a Parliamentary Private Secretary to a Minister in the United Kingdom. Members and Ministers when preparing for the Council business have a very surprising amount of work in connection with this Council. I myself speak from my personal experience. I was absent all the day yesterday until 7-30 in the evening paying a visit to the scene of a serious crime. When I came back at 7-30 I found at my table something like that pile (showing with his hands a big pile of papers) and something like that broad (again showing with his hands) all of which were marked with blue slips, and all of which required to be got into some sort of order with a view to prepare work for to-day's sitting. I have not spoken to my friends, the other Hon'ble Member and Hon'ble Ministers. I have no doubt that their experience will be very similar to my own. It is necessary that for a work of this kind there shall be some one who is not employed on other work and who can give time for the preparation of the business which is to be before this Council in proper time. I did that work with great difficulty, struggling through it till midnight. In these circumstances I think

that it is really necessary that some assistance should be afforded to Members and Ministers—some real assistance—in order that we should be prepared for the meetings of this Council. As to the length of time that it will be probable that a Council Secretary will be required I think probably something like a week or 10 days before the Council sittings should suffice. That at all events is the position so long as the work does not increase, at any rate from what it is at present. The one reason why it has been so difficult to put matters before the Council to-day has been that we had not got the Council Secretaries to work soon enough, and therefore we had not received that help which we shall receive in future. I trust this explanation will show that there is real ground for believing that the business of Council Secretaries will by no means be a sinecure.

**Mr. Ganpat Rai.**—With the Minister of each Department please let us know whether there is sufficient work for the employment of Council Secretaries who have been allotted to them. Secondly, whether this vote is annual or for the whole term?

**The Hon'ble Sir John Maynard.**—I understand my friend asks for the period that has been fixed. I think it has been fixed for the period for which the present Council Secretaries are being appointed.

**Mr. Ganpat Rai.**—The Act does not show this. I want also to know whether there is a sufficient amount of work for all the Secretaries and I wish each Member and Minister to give me this information because the public outside believes that there is very little work for these Secretaries, and I think, before we vote on the salary, we want each Member and Minister to say whether there is any work and what justification there is for their employment.

**The Hon'ble Sardar Bahadur Sardar Sunder Singh, Majithia.**—My friend wants information about the amount of work we have. I will tell him about my own experience. I generally come to office at about 11 o'clock and do not leave till 6-30. Besides that I do work at home. This has been my experience so far. The result has been that I have not been able to go out on tour to see what is being done as regards the assessment of land revenue and new assessment. This is my position, and I hope it will be conceded that some sort of relief is required by us.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—I have only to repeat what Sir John Maynard and the Hon'ble the Revenue Member have said. In connection with Council meetings there is a considerable amount of work in which Members and Ministers require assistance. I think Members of this Council realize that it is not very easy to frame questions to be put in this Council, and no doubt they have to spend sufficient time in thinking over the questions, and then the trouble comes in the making of these questions. When it is a difficult matter to raise questions, it is more difficult to answer them, and then to collect all these questions, to keep them ready for particular days of the meetings to be held, all this work of course requires careful handling and careful supervision, and I have no doubt that without the assistance of Council Secretaries we will find it extremely difficult to cope with.

Besides this matter of certain questions, you will realize that there are no less than 81 resolutions which are going to be moved in this Council. If you want Members and Ministers to place before you the Government point of view, historically as well as with reference to certain events—then that



also requires preparation. I suppose you realize that there are about 70 elected members to speak on these resolutions. We have got all the objections put forward to answer, and we do require assistance in the matter of these resolutions as well.

Apart from these two things, we have in hand very important legislative work specially in connection with local self-government, and in that Department you will realize that considerable assistance is needed by those Members and Ministers who have to bring it into Council. I think it is fairly certain that a week or fortnight before the holding of a Council meeting the Council Secretaries will be required to devote either the whole or part of their day to Council work, and in view of the amount of work that I believe they have to do, the provision for their salary does not err on the side of generosity.

**The Hon'ble Lala Harkishan Lal.**—So far as I am concerned I am not being bombarded with so many questions and resolutions as my colleagues have been, and therefore I have not yet felt the need of a Secretary. If the Council will promise to spare me answering questions then I do not want a Secretary. If you are not kind enough to promise that then I do want a Secretary.

**Diwan Bahadur Raja Narendra Nath.**—Is anything known of the procedure in other Provinces—in the United Provinces and Bengal? Are Ministers and Members supplied with Secretaries?

**The Hon'ble Sir John Maynard.**—I believe that that is so in the United Provinces. I have not yet examined the question as to what has been done in Bengal.

**Sayad Muhammad Hussain.**—May I ask whether the Secretaries will be

allowed to put questions and to take part in debates or not?

**The Hon'ble Sir John Maynard.**—I think that the answer to that is that it would not be constitutional or decorous for a Council Secretary to put questions. I think, if it is desired, that the Council Secretary should take part in the debate.

For one thing one of the objects for appointing Council Secretaries is that they should be in training for the future position of Minister. It is most desirable that they should take part in debates. There will by no means be any desire to restrict them in doing so.

**Mr. Ganpat Rai.**—I move that the pay of the four Secretaries be reduced to half that proposed. My reasons are that I am not satisfied by the explanations given by the Hon'ble Members and Ministers, for this reason that the Hon'ble Members and Ministers have a very large staff of highly paid Secretaries for each one of them—one for Transferred Departments and there are others for the Executive Members. The Hon'ble Member for Revenue has said that he comes to his office at 11 o'clock, and works up to 5, and takes home work he has not finished. He cannot do the work. He means to say, as I understand him, that these Council Secretaries are expected to do the work which the Hon'ble Members are doing. This is not what I understood from Sir John Maynard. I need not repeat again that a very large staff of highly paid Secretaries besides the Council Secretaries helps the Members and Ministers to do their work. In fact I may say that a very large proportion of the work will be done by them and not by the Council Secretaries. If the number of Secretaries had been fixed at two I think I would not have moved this amendment. But



as the number is four, I think that there is not enough work from what I have been able to gather from the Hon'ble Members and Ministers, and therefore I propose that the salaries of the Secretaries should be reduced by half until their number is reduced to two. With the permission of the President I would like to repeat what I have said in Urdu.

**The Hon'ble the President.**—Your amendment is that the four Secretaries be reduced to two.

**Mr. Ganpat Rai.**—No, that till their number is reduced to two by His Excellency the Governor the pay proposed in this resolution should be cut down to half. That is to say, the Secretaries be paid Rs. 1,000 for this session and Rs. 500 for the others until their number is reduced from four to two. If His Excellency chooses to reduce the number from four to two, then a resolution can be brought before the Council that their pay be fixed as now proposed. I would like to give an abstract of what I have said in Urdu.

**Mr. K. L. Ralla Ram.**—Sir, I move another amendment. I propose that the salary of the Secretaries be reduced to Rs. 3,000. Instead of Rs. 2,000 they should get Rs. 1,500 for this session; and instead of Rs. 1,000, Rs. 750 for the two next sessions. In moving this amendment I might be allowed to say that, judging from the explanations which have been given by the Hon'ble Members, one is safe in concluding that the chief duties of the Secretaries will be to get the information necessary for the answers to the questions put in Council. We must remember one thing, Sir, that this Council is now meeting after one or two years, and the number of questions this time is larger than it will be ordinarily. I also estimate, I do not know how far I am correct—that they will only be required

to work 60 days in the whole year, and I think Rs. 50 a day is quite sufficient.

**Rai Bahadur Lala Sewak Ram.**—That is my amendment that Rs. 3,000 a year may be paid to them as a fixed salary.

**The Hon'ble the President.**—There is a small difference between the two amendments. You wish to make it three thousand per annum.

**Mr. Manohar Lal.**—Sir, I do not feel satisfied with the explanations given by the Hon'ble Members and the Ministers as to there being sufficient work for four Secretaries. I say, Sir, that I expected an explanation from the Hon'ble the Finance Member as to the duties that have been definitely assigned by His Excellency the Governor under section 52 (4) of the Government of India Act for these Secretaries. You will see there, Sir, that while the Act makes definite provision and empowers His Excellency the Governor in a Governor's Province at his discretion to appoint a certain number of Secretaries, section 52 (4) ends with these words, "shall discharge such duties in assisting the Members of the Executive Council and Ministers as he may assign to them." And it would have been a matter of interest to this Council to have learnt authoritatively from the Hon'ble the Finance Member exactly what the duties assigned to these Secretaries definitely were. We have been told that the duties that these gentlemen may discharge would be similar to those discharged by Parliamentary Under-Secretaries in the English Parliament. One is taken rather at a disadvantage in joining in a discussion on this resolution to-day because the notice of to-day's business that I received (till I came here and found this in the pocket of my seat) did not contain this resolution. But, Sir, so far as I am aware, the duties of a Parliamentary Under-Secretary become heavy mainly owing

to the fact that the member in charge of a particular portfolio can be a member of either one house or the other—that is, the House of Commons or the House of Lords,—and it is really in this connection that the Secretary representing the Chamber to which the Cabinet Minister does not himself belong that the Parliamentary Under-Secretary discharges his main functions. The analogy in the case of our own Council does not hold in the least. Here every one of the Ministers and the Executive Members hold particular portfolios.

**Sardar Bahadur Sardar Mahtab Singh.**

—I only wish to bring to your notice that the proposal of salaries seems to be this that there would be three Sessions. But there may be three Sessions or more than three Sessions in a year. I think that the proposal of Rai Bahadur Lala Sewak Ram that it should be per annum and not per Session is reasonable. We are not absolutely sure as to how many Sessions there would be in a year, and we will not know how much the salary will come to.

**Rai Sahib Sardar Harnam Singh.**—

I propose that the following words be added :—

“ The total salary shall not exceed Rs. 4,000 per annum.”

**Maulvi Muharram Ali Chishti** spoke in Urdu and pointed out that the officers of the I.C.S. were, in the opinion of the general public, considered to have no work, but he had now come to know that they really deserved more salaries, as they performed the duty of answering all questions in the Council without any additional Secretaries with them. Now-a-days, when every one was preaching economy, the Council should also observe economy.

**Rai Bahadur Lala Hari Chand.**—I have to ask one thing. Will the Hon'ble President let me know whether this Council can request His Excellency the

Governor to reduce the number of Secretaries from 4 to 2. As it is suggested that the number be decreased the pay should remain the same. But if the number is not decreased, then the pay should be reduced to Rs. 2,000.

**The Hon'ble the President.**—Any member can move a resolution to that effect, but I think the sense of the Council is that if any indication of this nature is to be given it should be given in the way in which Mr. Ganpat Rai proposes.

**Mr. Manohar Lal.**—May I ask a question ?

**The Hon'ble the President.**—Yes.

**Mr. Manohar Lal.**—Will you kindly turn to section 80-B of the Government of India Act. Therein it is laid down that “ an official shall not be qualified for election as a member of a local Legislative Council, and if any non-official member of a local Legislative Council, whether elected or nominated, accepts any office in the service of the Crown in India, his seat on the Council shall become vacant.” Now if you turn to section 52 (4), it says “ The Governor of a Governor's province may at his discretion appoint from among the non-official members of the local Legislature Council Secretaries who shall hold office during his pleasure and discharge such duties in assisting members of the Executive Council and Ministers as he may assign to them.” From such observations I would gather that the Council Secretaries so appointed would fall within the purview of section 80 B, in so far as they are to be regarded as members who accepted office under the Crown. I should like to know the legal aspect of the question.

**Rai Bahadur Lala Sewak Ram.**—

In the sense of certain friends of mine I hold that the pay of the Council Secretaries should be fixed at Rs. 3,000 per annum each.

(The Council adjourned till 2-30 P.M. for lunch.)

(The Council re-assembled after Lunch.)

**The Hon'ble the President.**—Mr. Manohar Lal, do I understand that you wish to give an abstract of your remarks in Urdu?

**Mr. Manohar Lal.**—They may be interpreted.

**Malik Feroz Khan.**—Is it a fact that every speech has to be translated into Urdu, or only those speeches which the members require to be translated? What is the law?

**The Hon'ble the President.**—The matter is left to my discretion. If a member wishes to have his remarks explained in Urdu to the Council I shall always try to meet his wishes.

**Mian Beli Ram** spoke in Urdu. He opposed the Resolution and proposed that Rs. 2,000 per annum for each Secretary be fixed.

Lala Uttam Chand, Sayad Muhammad Hussain, Maulvi Muharram Ali Chishti, Raja Narendra Nath and Sayad Mehdi Shah supported the proposal that Rs. 2,000 per annum be fixed as salary for each of the four Secretaries.

**Mian Ahmad Yar Khan.**—Those who have taken part in this debate have only considered the work of the Secretaries but have not considered that the real idea is to train them for the next Ministership or some other responsible post. Had the idea been only of taking work from the Secretaries, men from outside might have been employed. Now four Secretaries have been appointed from the elected Members of this Council and we all know that they belong to high Zamindar families. In my opinion the pay

which has been proposed by the Hon'ble the Finance Member should not be reduced in any case.

**Rai Bahadur Lala Hari Chand** speaking in Urdu suggested a fixed salary of Rs. 2,000 per annum for each Council Secretary.

**Khan Bahadur Mir Muhammad Khan.**—I beg to submit that after considering the whole point I have come to the conclusion that the number of Secretaries proposed is reasonable and that the pay proposed is also reasonable. My reasons for advancing these arguments are: in the first place we are overlooking the future. We do not consider what amount of work we shall have in the future. We are fixing the salaries now but we do not know the amount of work we shall have in the future. It is essential that we should fix adequate pay in order to ensure the efficiency of work. In these circumstances I propose that the pay of the Secretaries during the budget session should be Rs. 2,000 and Rs. 1,000 when there is no budget, with the proviso that the pay of the whole year will not exceed 4,000 rupees. It has also been suggested by one of the Members that the number of Secretaries should be reduced to 2. It is very difficult to fix duplicate duties, in other words, we cannot have one Secretary to two Members or Ministers. He will not know what to do and it is very difficult to serve two Ministers at one and the same time.

**A Member.**—Mr. Joseph is working as Secretary, Transferred Departments, under two Hon'ble Ministers.

**Khan Bahadur Mir Muhammad Khan**  
—CONTINUED.

Mr. Joseph has different duties and his hands, I am sure, are full, and he has always to look to other things as well. It is not the answering of questions only that is to be prepared by the

Secretaries, but they will have a lot of other duties to discharge. Under these circumstances I think if we fix the limit it will be quite sufficient. It is necessary for this Council to consider that at a later stage we shall have to consider the ways and means of finding money for all these expenses naturally brought about by the Reforms. We should not waste our time over these matters. In my opinion it is false economy. I am quite sure that many of the objectors, had they been put in the position of the four Secretaries, would not be satisfied even with the pays suggested by the Hon'ble the Finance Member. Moreover, if these Secretaries have been appointed under the Government of India Act by His Excellency, it is not within our province to object to it in any way.

**Sardar Dasaundha Singh.**—From what I have heard hitherto I have not been able to form any definite idea as to what is the underlying object of these appointments. If the idea is to train them for higher posts, then I do not think the house will be the gainer. For the advantage that will be received will be received by the Members individually, because who knows whether at the next elections these gentlemen will succeed to be Members of this Council and will be of some use to this Council. So if that is the idea, it is my opinion that there should be no pay at all for the Secretaries. If the idea is that some work should be taken from them, in that case I submit that these appointments should be whole time appointments and not that the Secretaries should only be required to attend these Sessions, for in the latter case I do not think they will be able to give much help to the Ministers in charge of the various departments. The work of answering the questions, I believe, has to be done before the Session begins, at any rate, most of the work in connection with that part of the business is

done before the Session begins. In these circumstances if the Secretaries attend only when the Session begins, I do not think they will be able to give much help to the Ministers or the Members in charge on that score. Besides, the work of answering the questions is more or less of a clerical nature, and for that, if there is any necessity for help, trained clerks may be employed, and I think they will be of much more use to the Members in charge than the Secretaries themselves. But if the Secretaries are to be had and they are to help the Ministers and the Members in charge, then I would propose the amendment that they should be whole time men and in that case no consideration of false economy should be allowed an influence. In that case alone they could be of real assistance to the Members in charge and in that case they can be expected to do some useful work. I would then propose that their pay should be fixed at about Rs. 800 per mensem. In that respect, too, I would first of all like to know if the number of Secretaries can be reduced, because two whole-time Secretaries can be of much more use than four Secretaries who will come over here only during the Session. During the Session they will have to spend the best time of the day in the Council Chamber and I am at a loss to understand what help the four Secretaries can render to the Ministers or to the Members in charge. So I think to narrow down the discussion on this point I would like the Finance Member to make a statement as to what is the underlying idea in the appointments; whether they are training them as Parliamentary Secretaries or whether they are meant to be of use to the Members and Ministers.

**Diwan Bahadur Raja Narendra Nath.**—I think it is unnecessary to compare the things here with the things in the British Parliament. The conditions are

quite different. Besides, I do not think that each member of the Cabinet has got a Parliamentary Secretary to answer questions on his behalf. Even here in India, I think, the practice followed in other Provinces is different. Each member of the Council has not got a Secretary. I agree so far with the opinion that the number of Council Secretaries is too large, but as the determination of the number is not allowed to this Council, and as the number has been fixed by His Excellency the Governor, and we have only to fix the salaries, we can so vote the salaries as to persuade, if not to compel, His Excellency the Governor to reduce the number to two.

**Rai Bahadur Lala Sewak Ram.**—I agree with the proposal that has been put forward to reduce the salary to Rs. 3,000 a year independent of the number of Sessions, and I think that if this proposal is adopted, it will meet with the wishes of the members, and at the same time not interfere with the disposal of work.

**Mr. Ganpat Rai.**—I accept this amendment.

**The Hon'ble the President.**—Do you then withdraw your own amendment?

**Mr. Ganpat Rai.**—Yes, I accept the changed form. Under Standing Order 85 (1) I move that the question be now put.

**Chaudhri Bans Gopal** spoke in Urdu in favour of the reduction of salaries.

**The Hon'ble the President.**—Mr. Ganpat Rai has moved that the question be now put. I accept the motion unless the Hon'ble the Finance Member wishes to say something.

**The Hon'ble Sir John Maynard.**—I have only two or three words to say, Sir, Mr. Manohar Lal pointed

out that no definition had so far been given of the duties of the Council Secretaries. It is true that there has been no definition, but there is a general definition that they are to assist the Ministers and Members in their Council duties. I think it is not possible to define the work more precisely than this. In the next place I think it has been asked what was the real consideration taken into account in deciding the matter of appointments and whether they were appointed with a view to fill up vacancies as Ministers in the future. The answer is that they are appointed for the sake of the work which they are going to do, but at the same time they will acquire certain experience which will hereafter make them useful to the Council and the country. Again it is quite possible that the house may reduce the salaries now fixed if they are considered to be excessive.

In conclusion I might say that I recognise that there is a general feeling in favour of economy. I am prepared to reduce the total sum of Rs. 4,000, on the presumed Rs. 4,000, to a presumed Rs. 3,000. Whether it be estimated over the sessions or given as a lump sum is a matter which is not of very great importance. I should be prepared to accept either of the two views. If there is any member who has moved an amendment to the effect that the salary of each Council Secretary be fixed at Rs. 3,000 a year as a lump sum, I should be perfectly prepared to accept that view. I am prepared to accept the view that Rs. 3,000 be fixed as the salary.

**The Hon'ble the President** then read out the amendments, which ran as follows:—

(1) Moved by **Rai Bahadur Lala Sewak Ram**:

That for clauses (1) and (2) be substituted the words Rs. 3,000 per annum.

(2) Moved by Mian Beli Ram :

That for clauses (1) and (2) Rs. 2,000 per annum be substituted.

(3) Moved by Mr. K. L. Ballia Ram :

That for the figure Rs. 2,000, Rs. 1,500 be substituted ; and for the figure Rs. 1,000, Rs. 750 be substituted.

(4) Moved by Rai Sahib Harnam Singh :

That the following words be added after Rs. 1,000 "provided that the total in any one year shall not exceed Rs. 4,000."

Rai Sahib Harnam Singh.—Sir, with your permission, I withdraw my amendment.

The Hon'ble Sir John Maynard.—I am prepared to accept the amendment which proposes Rs. 3,000 a year.

The Hon'ble the President.—Then there are three proposals—

- (1) that Rs. 3,000 a year be paid,
- (2) that Rs. 2,000 a year be paid, and

- (3) that so much be paid per session as proposed by Mr. Ballia Ram.

Mr. K. L. Ballia Ram.—I withdraw, Sir, in favour of Lala Sewak Ram.

The Hon'ble the President.—Then it is not necessary for me to put before the Council the question whether the payment will be by year or by session. All the proposals for payment by the session have been withdrawn. There

are now only two proposals before the Council—first, that accepted by the Government, namely, Rs. 3,000 per annum. The amendment is to make it Rs. 2,000 per annum. I shall take a vote as to who wishes Rs. 3,000 and who wishes Rs. 2,000.

A vote was taken and the President announced the following results :—

For Rs. 2,000	—	40 votes
For Rs. 3,000	—	34 "
Majority for Rs. 2,000	—	6 "

The Hon'ble the President.—Before we adjourn I wish to say that, owing to the great rush of questions taking everybody by surprise, the Government were unable to send in all their answers in time to get them printed and translated. Some were received last night and many only this morning. Every effort will be made to have them printed quickly in future and they will be circulated as soon as they are ready to the press and the members of the Council. In future, as the office gets into working order, I hope I shall be able to give members printed answers when they come here. I regret the delay to-day, but I think members will understand my difficulties.

The Council stands adjourned till 10-30 A.M. to-morrow.

The Council adjourned to Thursday, the 24th February 1921, 10-30 A.M.



## PUNJAB LEGISLATIVE COUNCIL.

Thursday, 24th February 1921.

The Council met in the Council Chamber at half-past ten of the clock  
The Hon'ble the President in the Chair.

### QUESTIONS AND ANSWERS.

#### DACOITY IN SHAHPUR DISTRICT.

**31. Mr. Canpat Rai.**—“(i) Has the attention of the Government been drawn to the details of a ghastly dacoity committed in the Khushab Tahsil of Shahpur district, and reported in the *Bande Matram* newspaper of Lahore, dated 26th January 1921, and will Government give to the Council full facts as to—

- (a) the number of murders committed by the dacoits,
- (b) the sex, religion, names and ages of the victims,
- (c) injuries, short of death, caused to each victim, and
- (d) the total loss of property?

“(ii) What was the distance between the place of dacoity and the nearest police station?

“(iii) What action has been taken by the local authorities up to date?”

**The Hon'ble Sir John Maynard.**—

“(i) Government has seen the report referred to—

- (a) The number of persons murdered by the dacoits is six.
- (b) The victims were three males and three females, of these 5 were Hindus and one a (Musali) Muhammadan. Their names and ages as reported are as follows:—

Devi Ditta (adult),  
Roshan (infant six months),  
Alla Ditta (adult),  
Amrat Bai (about 18 years).  
Rajkurni (adult), and  
Bhagwanti (11 years).

(c) Besides the six victims the police reports do not mention that any others were injured.

(d) Government has no information as to the loss of property.

“(ii) The distance between the place of the dacoity and the nearest Police Station, which is Khushab, is 5 miles.

“(iii) The local authorities are still investigating the matter, but up to the present there have been no definite developments. The dacoits are believed to be local men.”

**Mr. Canpat Rai.**—“Will Government be pleased to enquire the loss of property which is not known?”

**The Hon'ble Sir John Maynard.**—  
Yes.

#### PAY OF MUNSIFS.

**32. Mr. Canpat Rai.**—“(a) Is Government aware that there is a strong feeling of discontentment amongst the Punjab Munsifs for having been kept behind time, in the matter of their pay, position and prospects being brought into line with those sanctioned in other provinces with effect from 1st December 1920?”

“(b) Is Government aware that most of the Munsifs in the province have submitted memorials to the Hon'ble the Chief Justice urging therein their claims to a treatment of perfect equality with the Munsiffs of other provinces?”

“If so, (i) what action has been taken thereon and by what date the announcement of Government is likely to be communicated to the officers concerned to set their minds at rest, and (ii) what are to be the main features of the scheme?”

**Mr. C. M. King.**—“Government is aware that there was a feeling amongst

the munsifs in the Punjab that their prospects, etc., should be brought in line with that of the officers of the same class in the neighbouring provinces. An announcement was made by Mr. French in the Council on 8th March 1920 that the status of the munsifs will be generally improved. As a result of this announcement this Government recommended to the Government of India that the status and emoluments of the Punjab munsifs be closely assimilated to those of the munsifs in the neighbouring provinces. The Secretary of State has since accorded sanction to the amalgamation of the cadre of munsifs with the Provincial Civil Service, and details of the scheme are now under consideration."

**Mr. Canpat Rai.**—"Am I right in understanding that the status of the munsifs in the Punjab will not be the same as it is in other provinces?"

**Mr. C. M. King.**—"With regard to that I would point out that the word 'Munsif' does not denote the same class of officers in other provinces as those in the Punjab."

#### CONDUCT OF MR. JERRAM.

**33. Mr. Canpat Rai.**—" (a) Has the attention of Government been drawn to a note in newspaper *Bande Matram*, Lahore, dated 25th January 1921, page 4, column 3, under the heading 'Who is responsible for disorders' in which the conduct of Mr. Jerram, Forest Officer, Bashahr Division, is criticised for his having called Pandit Rambhaji Dutt Chaudhri, Vakil, High Court, Lahore, and one of the leaders of the Non-co-operation movement in this province, 'a liar' in a public meeting which was being addressed by the said Pandit at Phillaur?"

" (b) Will Government state if the facts mentioned in the said newspaper are correctly reported, and, if so, what action has Government taken against the said officer and what punishment has been awarded to him?"

" (c) Has the Government ascertained from Mr. Jerram or otherwise who was the other European gentleman who went with Mr. Jerram to that meeting?"

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—" (a) The attention of the Government has been drawn to the note in the *Bande Matram* of the 25th January, but it is not accurate to say that Mr. Jerram called Pandit Rambhaji Dutt 'a liar.' The facts of the case are that Mr. Jerram and Major W. F. Chipp, D.S.O., M.C., Forest Assistant, attached to the Bashahr Division, were on their way to the Fort when they came upon the meeting which was being addressed by Chaudhri Rambhaji Dutt. Mr. Jerram asked the name of the speaker from the volunteers and not receiving a reply addressed the speaker directly and the Pandit shouted out in an angry voice. After that Mr. Jerram said in Urdu—"It would be better if you told the people the truth. Most of what you have said is false."

" (b) In view of the facts as stated above Government does not propose to take any action in the matter."

#### SARDAR SUNDAR SINGH (GANGA SINGH) OF JULLUNDUR CANTONMENT.

**34. Mr. Canpat Rai.**—" (a) Has the attention of Government been drawn to a note in the columns of *Bande Matram* newspaper, Lahore, dated 21st January 1921, page 5, column 1, under the heading of 'Order of expulsion from the limits of a Cantonment'?"

" (b) Will Government state fully why Sardar Sundar Singh was ordered to quit the limits of the Cantonment of Jullundur within 24 hours?"

" (c) Was he asked to give an explanation and, if so, was opportunity given to him to show cause and produce evidence in support of his defence?"

" (d) Did Sardar Sundar Singh commit any offence, if so, why was he not tried before any court of justice or even Court Martial?"

" (e) If he had not committed any offence will Government cancel the order of Cantonment Magistrate immediately and compensate Sardar Sundar Singh for the loss caused to him in mind, reputation and property?"

"(f) Does Sardar Sundar Singh own large property in the Cantonment and carries on the business of Banking and other trade in the Cantonment limits, and since what date?"

"(g) If Government is not inclined to compensate Sardar Sundar Singh for his losses and take him back in the Cantonment limits, will Government be pleased to take over all his property, goods and debts due to him and pay his price?"

**The Hon'ble Sir John Maynard.**—“(a) Yes.”

“(b) Under the Cantonment Code the appeal against a notice directing a person to remove from a Cantonment lies to the military authorities. The Punjab Government has no appellate or revisional authority in connection with such orders, and receives no official information respecting them. The military authorities have been asked to send to the Punjab Government intimations of all orders of expulsion and the reasons for them; but no particulars of the case referred to by the questioner have yet been received. It is understood that the name of the person who has been expelled from Jullundur Cantonment is Ganga Singh not Sundar Singh.

“(c), (d), (e), (f), (g). The law provides for an appeal to the superior military authorities, and it is presumed that Mr. Ganga Singh has exercised that right. The Punjab Government has no power under the law to interfere in the case.”

#### COMPLAINT OF MAGHI RAM AGAINST A POLICE INSPECTOR.

**35. Mr. Ganpat Rai.**—“(a) Has the attention of Government been drawn to a communication published in the columns of *Bande Matram* newspaper, Lahore, dated 18th January 1921, pages 6 and 7, under the name of ‘Kamtrin Maghi Ram, Appeal-navis, Machhiwar, district Ludhiana, real brother of Rai Sahib Lala Siri Ram, Sud, late Sub-Divisional Officer of

Sheikhupura, Punjab,’ making serious allegations of corruption and other oppressions against a Sub-Inspector of Police?”

“(b) Has any action been taken against the said officer, if so, what?”

“(c) Will Government be pleased to request certain disinterested persons to take part in the investigation against the said officer so that the public may have confidence in that investigation, and if Government be so pleased to pay those persons for their trouble and time?”

**The Hon'ble Sir John Maynard.**—“(a) and (b). The questioner is referred to the reply given to a similar question put by L. Atma Ram.

“(c) The Government is not prepared to accept the suggestion, but any help rendered in eliciting facts will be welcomed.”

**Mr. Ganpat Rai.**—“Is this Sub-Inspector still there or has he been sent away?”

**The Hon'ble Sir John Maynard.**—“I ask for notice. I do not know.”

#### RECRUITMENT OF MUNSIFS.

**36. Milan Ahmad Yar Khan, Daulatana.**—1. “Will the Government be pleased to inform this Council—(a) If there is any standard of proportion with regard to the recruitment of Munsifs and the elevation of Munsifs to the post of Extra Assistant Commissioners?”

“(b) If the answer is in the affirmative, whether this standard is according to the principle of numerical strength of the province, and if not, by what principle such recruitments and elevations are governed?”

“(c) What are the actual figures of such recruitments and elevations for the last five years?”

**The Hon'ble Sir John Maynard.**—“In the recruitment of Munsifs the Judges always fully consider the claims of the different communities, but this principle of selection is subject to the proviso that suitable candidates are forthcoming

on each occasion. The same principle is observed in selecting candidates for vacancies on the High Court Register A for the post of Extra Assistant Commissioners. Thus at the last selection of the 5th November 1920 the successful candidates for 14 vacancies on the Court's Extra Assistant Commissioners' list included 6 Muhammadans, of whom 4 were Munsifs and 2 were legal practitioners, 6 Hindus, of whom 3 were Munsifs and 3 were legal practitioners, and 2 Sikhs, both of whom were Munsifs.

"(b) The principle on which selection is based has been mentioned in my reply to question 1 (a).

"(c) The actual figures in regard to the selection of Munsif candidates and the elevation of Munsifs as Extra Assistant Commissioner candidates, High Court are given in the annexed statements\* A and B.

#### EMPLOYMENT OF ZAMINDARS.

37. Mian Ahmad Yar Khan, Daulatana.—"Will Government be pleased to inform this Council—(a) If any action has been taken to give effect to the resolutions adopted by the committee appointed to consider the subject of the increased employment of zamindars in civil departments under the Punjab Government and

approved by the Lieutenant-Governor of the Punjab, *vide* Home Department No. 4572-S., dated Simla, the 3rd October 1919.

(b) If the answer is in the affirmative, what is the number and nature of posts allotted to zamindars as a result of such action? and

(c) How does the total amount of the salaries of such posts compare with the total of the salaries of posts given to non-zamindars since the date of the approval of the scale involved in the above mentioned resolution?"

Mr. G. M. King.—"(a), (b), (c).—A statement is laid on the table showing as far as is known—

- (1) the number and nature of posts allotted to zamindars since the issue of Punjab Government Resolution No. 4572-S., dated the 3rd October 1919, and
- (2) the total of their salaries as compared with the total of salaries in posts given during the same period to non-zamindars.

The figures given in the statement are exclusive of the appointments made by the Commissioner, Rawalpindi, and the Inspector-General of Police, who have not yet furnished the required information to Government.

\* Not printed.

	No. and nature of posts given to zamindars since Government resolution.	Total of their salaries.	No. of same posts given to non-zamindars.	Total of their salaries.
		Rs. A. P.		Rs.
Multan Division	2 Extra Sub-Inspectors, probationers. 1 Naib-Tahsildar 1 Stenographer	279 0 0	No. not stated	40
Lahore Division	34 posts of clerks, Naib-Tahsildars and Excise Sub-Inspectors.	1,385 0 0	46	1,500
Ambala Division	42 posts of clerks 1 Excise Sub-Inspector 1 Naib-Tahsildar	907 0 0 per man sem. 80 0 0 per man sem. 70 0 0 per man sem.	1 2	877 50 140
Jullundur Division— Parsapore District—				
From 1st January 1920	2 posts of clerks	180 0 0	2	45
From 1st January 1921	2 posts of clerks and khangas	40 0 0	6	180
Veterinary (October 1919 to December 1920.)	22 Veterinary Assistants	1,100 0 0	3	450
High Court	5 confirmed and sub. pro tem. Munsifs, lowest grade. 5 officiating Munsifs	875 0 0 875 0 0	8 12	1,400 1,500
Prisons	2 Assistant Jailors, 2nd grade	140 0 0 per man sem.		245
Co-operative Societies	2 Assistant Registrars 2 Inspectors	2,960 0 0		
Civil Hospitals	Assistant Surgeons Sub-Assistant Surgeons. Compounders Clerks 174 posts	Not available	743	Not available.
Public Instruction	2 Punjab Educational Service 21 Subordinate Educational Service. 4 Clerks	2,288 0 0		4,570
Irrigation for 1920	7 Lower subordinates 11 Zilladars 4 Draftsmen 14 Petty Establishment	1,391 0 0		Not available.



	No. and nature of posts given to zamindars since Government resolution	Total of their salaries	No. of same posts given to non-zamindars	Total of their salaries
		Rs. A. P.		Rs.
Public Works Department, Buildings and Roads	1 Temporary Engineer 18 Clerks 1 Upper Subordinate 1 Draftsman 2 Draftsmen 2 Sub-Overseers 1 Instructor in Engineering School, Banul. 1 Foreman Mason 1 Darogha	1,879 8 0 per month.		5,947
Forests	34 Foresters 5 Clerks 2 Rangers selected for training prior to Resolution. 1 student for 1920-21 course for Provincial Forest Service at Dehra Dun selected prior to Resolution. 8 students for 1920-22 for Rangers prior to Resolution. 6 students for 1921-23 course selected after Resolution.	2,557 0 0 160 0 0 200 0 0 on appointment. 240 0 0 on appointment. 480 0 0 on appointment.	13 Foresters 10 Clerks 2 Extra Assistant Conservators 2 Rangers 1 for 1921-23 course selected after Resolution. 1 5	725 680 30 on appointment. 80 on appointment. 240 on appointment.
Agriculture	1 Entomologist 2 Assistant Professors 13 Agricultural assistants 1 Veterinary Assistant, Co-hawa Laboratory. 2 Hospital Assistants 11 Mukaddams 7 Clerks 2 Demonstrators	2,659 0 0 per month.		974
Total	481	18,048 8 0	935	16,702



# STUDENTS' CONFERENCE, AT GUJ- RANWALA.

38. **Pandit Daulat Ram, Kalia.**—"Is it a fact that a large number of students who went to Gujranwala to attend the recent students' congress travelled by the N.-W. Railway without purchasing a ticket and using fraud or force and shouted out "Mahatma Gandhi ki Jai, Ticket nahin hai" when asked by the Railway authorities to produce tickets?"

"If so, what action did the Railway Police take in the matter?"

**The Hon'ble Sir John Maynard.**—"The answer to the first part of the question is in the affirmative."

"In regard to part II no action was taken by the Railway Police, no formal complaint having been made by the Railway authorities."

## WANT OF ACCOMMODATION IN RAILWAY CARRIAGES.

39. **Pandit Daulat Ram, Kalia.**—"Is it a fact that at the Railway Station of Gujranwala a large crowd of people intending to travel in connection with the Tukri (Guru Nanak's birthday) festival and not finding room in the Railway train fell flat in front of the engine and did not allow it to move till the whole crowd without purchasing any tickets took seats on the roof of the carriages and on the foot boards. If so, was any action taken by the authorities to stop this lawlessness?"

**The Hon'ble Sir John Maynard.**—"No occurrence such as that alleged by the questioner is reported to have occurred at the Gujranwala Railway Station."

## RAILWAY ACCIDENTS.

40. **Pandit Daulat Ram, Kalia.**—"Has it come to the notice of the Government that during the last year several fatal accidents have taken place in the Punjab, in consequence of the passengers occupying the foot boards of over-crowded and moving railway trains? If so, what ac-

tion has been taken by the Government to prevent this kind of mortality?"

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—"The report to the first part of the question is in the affirmative."

"It has been noticed that passengers occasionally travel on foot boards when trains are crowded, but they do this in spite of the Railway staff preventing them from so doing and in contravention of section 118 (2) of the Railway Act. In other cases such accidents occur due to the passengers boarding trains or opening the doors while the train is in motion, these actions being in contravention of section 118 (1) of the Railway Act."

"Necessary action is taken and it is possible to do so under these sections. As far as possible the staff endeavour to prevent passengers from performing these irregularities."

## THIRD CLASS CARRIAGES.

41. **Pandit Daulat Ram, Kalia.**—"Has it come to the notice of the Punjab Government that the N.-W. Railway being short of stock is running some improvised third class carriages in which arrangements for light, sanitation and comfort are much inferior to those prevailing in ordinary third class carriages and the foot boards of such improvised carriages afford more chances for accidents? If so, would the Punjab Government be pleased to recommend to the Government of India that the rate of fares for travelling in such carriages be less than that for the ordinary third class which provides better accommodation and comfort?"

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—"The carriages referred to are only used under emergency. If the N.-W. Railway removed these carriages from service, there would be less accommodation on some of the trains; under the circumstances the public would be put to far greater inconvenience. Though these carriages are not fitted with footboards, they are provided with a step which is designed with due regard to the safety of passengers when entraining or

detraining from the carriage when standing alongside low or rail level platforms.

"The Punjab Government do not see their way to making a recommendation for lower fares to be charged as they understand that efforts are being made to replace these carriages with stock of the usual type."

#### CINEMA SHOWS FOR RATE-PAYERS.

42. Pandit Daulat Ram, Kalia.—"Would the Government consider the desirability of asking various municipalities (excepting those where private Cinemas exist) in the Punjab to make arrangements for Cinema shows of a healthy type for the recreation of rate-payers, charging admission prices to meet the actual expenses only?"

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—"The question is one that concerns municipalities and Government will bring the suggestion to their notice."

#### MAINTENANCE OF MUSEUMS.

43. Pandit Daulat Ram, Kalia.—"Would the Government consider the desirability of asking the municipal committees in the Punjab to maintain small museums in which specimens of local industries, arts and of other things of local and antiquarian interest be exhibited?"

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—"The suggestion will be brought to the notice of the municipal committees in the Punjab."

#### AGRICULTURAL MUSEUMS.

44. Pandit Daulat Ram, Kalia.—"Will the Government be pleased to ask the District Boards to maintain an agricultural museum for the benefit of the agriculturists of their respective districts?"

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—"The matter is one for the District Boards themselves to decide, but Government will bring the suggestion to their notice."

#### REGISTRATION OF DISABLED AND OLD PERSONS.

45. Pandit Daulat Ram, Kalia.—"Will the Government be pleased to ask the Municipalities and District Boards in the Punjab to keep a register of such disabled and old persons living within their respective limits who are unable to earn their livelihood and have no one to support them, and to render assistance in deserving cases?"

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—"The matter referred to is one which it is for the local bodies concerned to discuss and decide. Government can only bring the suggestion to their notice, and this it will do."

#### LEGISLATION FOR RUNAWAY WIVES.

46. Pandit Daulat Ram, Kalia.—"Will the Government call for a return showing the number of criminal cases instituted in the Punjab Courts under section 498, I. P. C., during the year 1920 and consider the desirability of introducing legislation prescribing a punishment for the runaway wives, also to prevent the commission of offences under this section?"

The Hon'ble Sir John Maynard.—"There is no separate record of cases under section 498. But there is a record of cases relating to marriage under sections 493 to 498 taken together. The latest figures available are those of 1919. There were 9,309 cases under these sections reported during the year. The more highly civilized communities are generally averse to the punishment of women for adultery and kindred offences. The system which the enquirer advocates is in

force under the Frontier Crimes Regulation in Mianwali, a portion of Muzaffargarh and Dera Ghazi Khan, but Government do not think that a proposal to extend it would be likely to commend itself generally."

**47. Pandit Daulat Ram, Kaliala.**—"In view of the fact that many offenders under section 498, I. P. C., escape to the territories of the Indian Princes, will the Government be pleased to consider the desirability of the offence under this section being made extraditable?"

**Mr. C. M. King.**—"The question of making offences under section 498, I. P. C., extraditable was considered in 1913, but was dropped owing to the absence in the Province of any effective system of marriage registration. Registration of marriages is not compulsory, and it has been left to District Boards to frame their own executive orders to carry out registration. Until an effective system of registration of marriages is adopted generally throughout the Province, any proposal to make offences under section 498, I. P. C., extraditable is in the opinion of Government premature."

#### NON-OFFICIAL JAIL VISITORS.

**48. Pandit Daulat Ram, Kaliala.**—"Will the Government appoint non-official visitors for each and every jail in the Punjab to enable the prisoners to ventilate their grievances and to stop corruption?"

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—"Non-official visitors have been appointed for all Central Jails of the Punjab and in addition for the District Jails at Rawalpindi, Multan, Sialkot and Gurdaspur for the Shahpur Tubercular Jail, the Subsidiary Jail at Sargodha and the Female Jail at Lahore. With regard to other District Jails Government will appoint one or more non-official visitors, provided suitable persons are available or offer themselves for such appointment. The question of the appointment of non-official visitors for the remaining subsidiary Jails is under consideration."

#### ENGLISH PRONUNCIATION OF PUPILS.

**49. Pandit Daulat Ram, Kaliala.**—"What steps are being taken by the Education Department to ensure that the pupils studying the English language learn the correct pronunciation of words?"

**The Hon'ble Khan Bahadur Mian Fazli-Husain.**—" (a) Instructions are issued under the Punjab Education Code regarding steps to be taken for the improvement of pronunciation.

" (b) Junior Anglo-Vernacular teachers, during their course of training, study 'the methods of teaching English in junior classes,' one of the sub-heads of which is pronunciation.

" (c) The direct method of teaching English which is largely adopted in schools attaches great importance to pronunciation."

#### IMPROVEMENT IN EXAMINATION SYSTEM.

**50. Pandit Daulat Ram, Kaliala.**—"Will the Government consider the desirability of moving the Punjab University to substitute the system of terms examinations (as prevailing in various British Universities) in place of two yearly or annual examinations for the college students?"

**The Hon'ble Khan Bahadur Mian Fazli-Husain.**—"The University is considering the improvements of its examination system. These suggestions will be brought to the notice of the University."

#### CINEMA SHOW TO STUDENTS.

**51. Pandit Daulat Ram, Kaliala.**—"Will the Education Department arrange to keep a permanent staff to tour in the province with a cinematograph for showing films of a healthy and instructive type to the students?"

**The Hon'ble Khan Bahadur Mian Fazli-Husain.**—"The scheme for the introduction of the system of village lantern

lectures is under consideration, and will probably be completed for action during the ensuing year."

### COMPLIMENTARY THEATRICAL TICKETS TO GOVERNMENT OFFICIALS.

**52. Pandit Daulat Ram, Kalial.**— "Is the Government aware that theatrical companies have to give complimentary tickets, while touring in the province, to a large number of petty Government Officials of the locality they visit, and that this practice stands in the way of the development of good theatres? If so, will the Government take steps to put an end to the practice?"

**The Hon'ble Sir John Maynard.**— "The Government has no information on the point. But the question of the member will be circulated to Deputy Commissioners and Heads of Departments with the instructions that the practice, if it exists anywhere, should cease. It rests largely with the managers themselves to stop it, and if they will draw attention to cases in which pressure is brought to bear upon them, suitable disciplinary action will be taken."

### DISTINCTIONS FOR ACTORS.

**53. Pandit Daulat Ram, Kalial.**— "With a view to promote that art of acting and improving the stage, has ever any actor in the Punjab been given any distinction by the Government? If so, what? If not, will the Government consider this point?"

**The Hon'ble Sir John Maynard.**— "It has not up to the present time appeared to Government that any conspicuous service to arts or morals in the Punjab has been rendered by any dramatic actor in the province."

"It is the practice of Government to take note of services of all kinds rendered to society by persons of all classes and occupations; and when these services merit recognition, to seek appropriate methods of recognising them."

### ENCOURAGEMENT TO VERNACULAR PLAY-WRITERS.

**54. Pandit Daulat Ram, Kalial.**— "Do any arrangements exist in the Punjab for encouraging vernacular play-writers as distinguished from other authors? If so, what? If not, will the Government consider the desirability of offering rewards to writers of good plays and for those who act them?"

**The Hon'ble Khan Bahadur Mian Fazli-Husain.**— "An annual grant of Rs. 2,500, which is supplemented by a grant of Rs. 1,000 by the Text-Book Committee, is made for the patronage of literature in Urdu, Punjabi and Hindi, but no grant is specially earmarked for the patronage of plays and actors."

"Government feels that the present provision is adequate."

### DIVISION OF POLICE INTO URBAN AND RURAL BRANCHES.

**55. Pandit Daulat Ram, Kalial.**— "Does the Government recognize that duties required of the police in the towns differ substantially from those required of the police working in the rural areas? If so, will the Government be pleased to consider the desirability of dividing the police force into two branches, viz., town and rural?"

**The Hon'ble Sir John Maynard.**— "Whilst recognising difference between town and rural police work Government considers that there are administrative advantages in retaining the existing system."

### SUITABLE BONUS TO POLICE.

**56. Pandit Daulat Ram, Kalial.**— "In view of the fact that on account of unrest the Punjab Police had continually to cope with a very heavy task in addition to their ordinary duties, will the Government consider the desirability of giving suitable bonus in deserving cases?"

**The Hon'ble Sir John Maynard.**— "All Superintendents of Police, Deputy Inspectors-General and the Inspector-

General of Police have funds wherewith to reward men who have done good work in dangerous or difficult circumstances and such funds are freely utilized."

### RESIDENTIAL QUARTERS FOR TEACHERS.

**57. Pandit Daulat Ram, Kalia.**—

"With a view to ameliorate the condition of the teachers in the Education Department, will the Government consider the question of providing residential quarters for them?"

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—"With a view to ameliorate the condition of teachers in the Education Department their scale of pay has only recently been revised, and no further action is at present contemplated."

### INCREASE OF HALTING ALLOWANCE OF COUNCIL MEMBERS.

**58. Pandit Daulat Ram, Kalia.**—

"In view of the fact that the halting allowance of the Government Officers has recently been increased by 50 per cent. will the Government be pleased to move the Government of India to similarly raise the halting allowance of the members of the Punjab Legislative Council?"

**Mr. C. M. King.**—"The question does not state the facts quite accurately. Local Governments have been given power to fix special rates of daily allowance for any officer or class of officers subject to a maximum of Rs. 10. Before Government takes any steps towards recommending an increased daily allowance for members of this Council it desires to consider the experience of this session in order to ascertain whether an increase in the sanctioned allowance is really necessary, and if so, how much."

### COMPENSATION TO MAHANT BAIJ NATH OF GURDASPUR.

**59. Pandit Daulat Ram, Kalia.**—

"Will the Government be pleased to

consider the question of compensating in some way Mahant Baij Nath, Bar-at-Law (now President of the Gurdaspur Municipal Committee), who, without any fault of his own, was arrested in April 1919, kept in detention for a few weeks and let off?"

**The Hon'ble Sir John Maynard.**—

"The Government does not consider that compensation should be given in cases of the kind mentioned."

### NON-CO-OPERATION AND HIJRAT IN POLICE FORCE.

**60. Pandit Daulat Ram, Kalia.**—

"Is it a fact that some members of the Punjab Police Force gave up service under the Crown on account of non-co-operation and Hijrat movements? If so, how many?"

**The Hon'ble Sir John Maynard.**—

"The answer to the first part of the question is in the affirmative."

"In regard to part (ii) the numbers of those who left service up to 1st August 1920 were 2 Sub-Inspectors, 6 Head Constables and 13 Constables. No reports have been received since that date of any further resignations."

### SPECIAL GRANTS FOR AGRICULTURAL PURPOSES.

**Diwan Bahadur Raja Narendra Nath,** repeated question No. 25 of the 23rd.—  
"Will Government be pleased to lay on the table a statement showing—

- (a) special grants made for agricultural experiments,
- (b) the area of each grant,
- (c) the names of grantees,
- (d) the terms on which grants were made,
- (e) the period for which they were made,

(f) the steps taken to give full publicity to the terms to invite applications before sanctioning grants in each case,

(g) facts which justified the extent of the area covered by the grants in each case for the success of the experiment.

"Is Government satisfied that the terms of the grants are fulfilled in each case, if not, what steps does the Government propose to take to compel fulfilment?"

**The Hon'ble Lala Harkishan Lal.**—"A statement giving all the information required by heads (a), (b), (c), (d) and (e) of the question is laid on the table. As regards head (f) no steps were taken to give wide publicity to the terms or to invite

applications except in the cases of Nos. 1, 7 and 8 of the statement. In these cases tenders were invited. The information regarding the first part of head (g) is to be found in voluminous correspondence, which the member is welcome to see in original at the Secretariat if he so desires. As regards the latter part of this head, Government is satisfied in all cases except in one case (the case of Raja Daljit Singh and Sir Zulfiqar Ali Khan) in which the grantees have not made much progress, but they still have several years before they can be said to have failed. Certain grants have been omitted from the statements as not being of an experimental character, nor does the list contain the leases of two farms for horse-breeding and five farms for cattle-breeding and one for dairying on the Lower Bari Doab Canal, as these are not strictly agricultural experiments."



Name of grantee.	Area of grant.	Period for which granted.	Conditions of grant.	REMARKS.
1. Mr. Ganda Singh, Chima	7 rectangles (L. B. D. C.).	10 years	For the purpose of conducting experiments in fruit farming and improvement of varieties by hybridising. Renewable at the option of the lessee at 10 years' intervals up to a maximum of 30 years.	Mr. Chima must pass a 2 years' course in fruit farming to the satisfaction of the Director of Agriculture before he can get the lease. He went to America in November 1919.
2. Mr. Mitchell	722 acres (round) (L. B. D. C.).	10 years	To carry out experiments in fruit culture in consultation with the Director of Agriculture. The lease is renewable in the case of Mr. Ganda Singh, Chima, above. Continuous experiments have to be carried out with a view to improving the strains of the fruit originally introduced.	(a) An expert in fruit culture is to be kept, who is to be approved by the Director of Agriculture. (b) The draft lease has not yet been finally approved. Chief Engineer's opinion is awaited. The land is a narrow strip of land belonging to the Canal Department along the railway line and unsuitable except for special cultivation.
3. S. Jogindra Singh	2,000 acres (L. B. D. C.).	20 years	Area to be cultivated by steam power. Lessee to have the option of purchasing the land after the expiry of the lease for a sum of Rs. 5,57,500. If, however, the tenant does not desire to purchase, the lease is renewable for a further period of 40 years. Lessee required to bring the whole area under cultivation within two years.	The tenant has to use steam threshing machine and erect steam cotton gins, if so required by the Agricultural Department. He also has to cultivate up to 500 acres, as required by Agricultural Department, for supply of improved seed.
4. S. Jogindra Singh	Whole of village 16/14 L. (L. B. D. C.), about 4,000 acres.	5 years up to 1921.	This lease is to terminate in May 1921 unless the lessee should by that time be able to demonstrate that the recommendations of the Sugar Commission support an extended lease.	The idea of this lease if continued is to foster the introduction of best varieties of cane and facilitate the erection of a small sugar factory as a demonstration of the possibilities of sugar production in the Punjab. So far the area has merely been reserved from allotment to others pending receipt and scrutiny of the Report of the Sugar Committee.

Name of grantee.	Area of grant.	Period for which granted,	Conditions of grant.	REMARKS.
6. Raja Daljit Singh, C.S.I., and Sir Zaidkar Ali Khan, K.B.E., C.S.I.	5,000 acres	10 years, with option of purchase on expiration of term if conditions have been complied with.	To bring one-half of the area under cultivation within 10 years from the date of commencement of the tenancy by means of wells worked by electric power to be generated at a fall upon the Upper Chenab Canal, and thereafter to keep one-half of the area under cultivation by the same means.	Rai Bahadur Ganga Ram was first offered this lease, but declined to take it upon the terms offered.
8. Rai Bahadur Ganga Ram.	53,700 acres	In different plots for 8 years each.	To cultivate the area which is uncommanded by lifting canal water to requisite level by means of pumps; the machinery and water channels to be handed over to Government at the end of the lease.	
7. Rai Bahadur Ganga Ram	About 53,700 acres (L. B. D. C.)	13 or 14 harvests ...	This lease is under contemplation, main conditions being that the area which is amount is the equivalent of that shown in No. 6 above and will include a large number of the identical plots, which should be irrigated by lift and that lessees should instal a hydro-electric plant, which on termination of lease would be handed over free of cost to Government. Meantime till the hydro-electric plant is in order he would continue to use steam power plant.	
8. Khan Bahadur Mahdi Shah.	2,300 acres	...	Terms of lease not yet finally settled. Main condition is payment for water on a volumetric basis with a view to test the possible value of this system in economising the use of water.	
9. British Cotton Growing Association.	7,500 acres	20 years, renewable to 40 and 60 years with option of purchase.	Lessee to sow a minimum of 1/8th of the area each year with cotton. To sow up to a prescribed area such varieties of cotton as the Agricultural Department may prescribe. To sow a certain area each year with varieties of which the seed will be supplied by the department. Water to be paid for on a volumetric basis if so desired by the Irrigation Department.	

## NANKANA TRAGEDY.

**The Hon'ble the President.**—"I have received a notice from Sardar Dasaundha Singh to the effect that he wishes to move the adjournment of the Council to discuss the matter of the recent tragedy at Nankana Sahib under Standing Order No. 22. Standing Order No. 24 runs as follows:—"If the President is of opinion that the matter proposed to be discussed is in order, he shall read the statement to the Council and ask whether the member has the leave of the Council to move the adjournment. If objection is taken, the President shall request those members who are in favour of leave being granted to rise in their places, and if not less than forty members rise accordingly, the President shall intimate that the leave is granted and that the motion will be taken at the conclusion of the business of the day or at 4 P.M., whichever is earlier. If less than forty members rise, the President shall inform the member that he has not the leave of the Council."

**The Hon'ble Sir John Maynard.**—"Mr. President, I beg to draw attention to certain circumstances which make it undesirable to accept this proposal. In the first place it has already been made clear through the members of this Council to the people of the Punjab that this Government feels most deep sympathy with the Sikh community in general and with the relatives of the victims of this terrible tragedy in particular. All members know that His Excellency the Governor, accompanied by the Members of his Executive Council and the Hon'ble Ministers, personally went to the scene of the tragedy, and made clear to all concerned his determination that everything possible would be done by the Government to discover the actual offenders and to see that they are brought to justice. But any one, who like myself visited the scene of that tragedy, and saw the feelings of those present there, could not fail to understand in what a dangerous state of excitement the people of the Sikh community at that place were. The essential feature of this time is that it should be possible in a perfectly calm atmosphere for the Police to conduct their investigation. The atmosphere is already

perturbed, and this discussion will further perturb the calmness of the atmosphere in which they are working and make the task of the Police difficult, and the offenders will not be brought to justice. I feel, Sir, that we ourselves do not yet know the full facts of the tragedy. The time for discussion will come when the facts are known. I therefore most earnestly deprecate the proposal and trust that it will not be supported by the members."

**The Hon'ble the President.**—"Sardar Dasaundha Singh, do you press your motion for adjournment?"

**S. Dasaundha Singh.**—"If I am allowed to say something, I will clear my position."

**The Hon'ble the President.**—"I am afraid there must be no debate on this question."

The Hon'ble the President then called upon those members who supported S. Dasaundha Singh's motion to stand in their places. As none but the mover stood up, permission to adjourn the Council was refused.

## BUDGET FOR 1921-22.

**The Hon'ble Sir John Maynard.**—"Mr. President, two sets of figures, very different in volume, are to-day laid before this Council. One of the two, showing a revenue and expenditure which range from 6 to 7 crores of rupees, gives a picture of the finance of the Province under a system which to-day comes to an end. The other, showing a revenue and expenditure between 11 and 12 crores, shows us the finance of the Punjab under the reformed administration. Formerly provincial finance was intermingled with Central Indian finance. Certain heads of receipt and certain heads of expenditure were divided between the two and the provincial figures showed only the provincial halves. Now there has been a complete separation, and these divided heads have disappeared. A particular head of revenue, a particular head of expenditure, is either Provincial or it is Central; it is no longer half one and half the other. The Government of India now meet their own

heads of expenditure from their own sources of revenue, but these sources of revenue are not entirely sufficient, so they are supplemented by a contribution from the Provincial Government which this Council will find in expenditure head No. 51. The contribution, may I say in passing, at present amounts to 175 lakhs. The balance of 22,90, which is included in that expenditure, will be explained by me later on. This change in the distribution of revenue and expenditure, which these two sets of figures represent, is a fundamental feature in the design of the framers of the reformed administration. They sought to give to the province financial autonomy, without which no real power and no real responsibility could have been transferred to this Council, because financial co-partnership with the Central Indian Government inevitably involved administrative as well as financial subordination. The transference of real power, and of real responsibility, was essential to the object in view. For that reason the old system by which the two Governments shared together has been superseded by a new one, by which the Province becomes master in its own house though contributing to the needs of the Government of India by a payment which may hereafter be reduced and can only be increased in an emergency.

"It is perhaps hardly necessary for me to put Members of this Council on their guard against the assumption that, because the revenues of the Punjab appear to have advanced from something over six to something over eleven crores, there is less need than formerly for a careful husbanding of resources. The principal change consists in the fact that, on both sides of the budget, more is credited to us, and more is debited to us, than formerly. We have to pay our own way completely now, whereas formerly we paid it only in part. True, Lord Meston's Committee deliberately designed an increase in the spending power of this Government under the new allocation of revenues; and that increase, after deducting the 175 lakhs payable as contribution to central revenues, was calculated at 144 lakhs. But that was the total of the addition made to the resources of the province by the finan-

cial adjustments connected with the introduction of the Reforms: and, as has been explained in the Financial Memorandum, the additional expenditure on establishments due to the increased cost of living, and the higher cost of labour and materials, have more than swallowed up the addition. We have no more money than we had before: indeed we have effective command of less than before, after meeting the strain of the existing economic conditions. But of such resources as are available the Reforms have given to the Province a control which the old system failed to give.

"It is for this Council to adjudicate upon the proposals made by Government for the application of these resources during the coming financial year, with full liberty to take away, but no direct authority to add anything: and this judicial function, if I may so describe it, is the most important task of this session. In order that the Council may be satisfied of the general appropriateness of the proposals, it must know in the first place that we have arrived, by reasonable methods of calculation, at the amount of the opening balance. This is the reason why the figures in Appendix A, showing the revised estimate for the current year, are laid before it. If that revised estimate were wrongly calculated, the estimated closing balance of the year (slightly below 2 crores) would be wrong, and the basis on which the spending power of next year has been estimated would be invalidated.

"We have then to begin by making up our minds whether the revised estimate for 1920-21 is likely to be correct: and for this purpose the best method is to compare it with the actuals of the year preceding, and see how and why it differs from them. The revised estimate of revenue is about 23 lakhs in excess of the actual revenue of 1919-20: which is for the most part due to normal growth partly but not completely anticipated in budget. The revised expenditure shows us a great rise over the preceding actuals, from 631 to 742 lakhs, but this rise had been almost entirely anticipated by the budget figures: which had been framed on a liberal scale owing to the withdrawal of war time restrictions upon expenditure. A substantial increase

was due to the introduction in the last five months of the current year of the revised scale of pay of non-gazetted establishments.

"The revised estimate has as far as we know, been accepted by the Government of India and may safely be taken by this Council as coming very close to the actuals of the current year. But whereas the closing balance which it indicates is nearly 2 crores, the opening balance shown in the budget is only 1,40,82. This matter has been explained in paragraph 8 of the Financial Memorandum. The Local Government grants loans to cultivators for certain purposes, and also to Local Bodies, and occasionally, but much more rarely, to large landowners. Formerly the money for these purposes was borrowed at interest from the Government of India. It has now been decided that the Punjab Government should pay off this debt, and finance its own lendings for the future. The advantage to this Province is the cessation of the interest charges which were formerly payable to the Government of India. The amount of the outstanding debt was 58.71 which has been deducted from the closing balance of 1920-21, leaving 1,40,82 as the opening balance of the coming year.

"The way is now cleared for consideration of the budget estimate of receipts for the coming year. In comparing these with figures of the current year it must be remembered that the latter showed only half of the receipts of Land Revenue, Excise, Stamps and Irrigation, whereas the budget shows the whole of the estimated receipts from these sources, in consequence of the change of system which has already been explained. Owing to the uncertainty of the monsoon, the item of Land Revenue—second in importance of all the receipt heads—must always be largely a matter of guess work. But the monsoon of the year 1920-21 was weak and ceased early and there are reasonable grounds for not assuming a repetition of failure. On the other hand, the coming Rabi crop must be a poor one. On the whole it seemed best to assume a figure substantially identical with the revised estimate for the current year and this has been done. Excise,

another large item of revenue, seems likely to fall off, as there has been a substantial drop in the auction bids, which will be only partially recouped by increased direct charges. As is generally the case, the excise income is sensitive to alterations in the economic prosperity of the Province; and the bad monsoon and the poor prospects of the coming Rabi are quite enough to account for what has happened. The substantial increase in Forest receipts from 41 to 60 lakhs is due to the increased activities of the department.

"Head XVI has been explained in paragraph 14 of the Financial Memorandum. It is sufficient to say here that Rs. 74,81 out of the 79,19 shown is a mere paper entry which figures again on the expenditure side in head 14 and is ultimately transferred to the Government of India under head 52 of Miscellaneous Adjustments.

"There is only one other head on the receipt side of the budget which calls for any explanation. Head XL shows an anticipated receipt of 25 lakhs under the head of Miscellaneous Adjustments with the Central Government. This Council should understand that Income-tax, formerly a divided head, is now an entirely Imperial head, of which the receipts are credited direct to the Government of India. But the Government of the Punjab will act as the agent of the Government of India in supervising the assessment and collection of the tax. In order that the Provincial Government may take an interest in this work of assessment and collection, and also in keeping down the cost of the establishment engaged in this work, a somewhat complicated adjustment takes place between the Central and the Provincial Governments. Those who desire to study the details of this adjustment will find it described in No. 15 of the Devolution Rules, published in the "Gazette of India" Extraordinary, for December 16th, 1920, as amended by Notification No. 10-S., dated February 1st, 1921. It is sufficient to say here that for the purposes of the figures of the present Budget, this Province is estimated to receive 25 lakhs under head LX, and to pay 22,90 under expenditure head No. 51.

"The total of the estimated revenue is 11,30,92, which, together with the

amount of the estimated opening balance, makes a total of 12,71,74 out of which the expenditure of the coming year is to be defrayed.

" I now turn to the expenditure heads in the Budget for 1921-22, the first financial year in which the Reformed system of administration will be in full operation. And in the first place let me point out that there are, among these heads of expenditure, a limited number of items in regard to which this Council does not exercise authority. These heads are specified in section 11 of the Government of India Act. They are:—

- (1) Contributions payable by the Local Government to the Governor-General in Council. The most important of these is the annual contribution of 175 lakhs, which Members will find in expenditure head No. 51, lumped together with a payment to be made by way of adjustment of the Central Government's rights in the Income-tax. Those who are interested in ascertaining the grounds on which this contribution was fixed, will find them fully explained in the printed Memorandum which has been supplied to all. It is sufficient to say here that the arrangements made provide for a provisional reduction in future years of this contribution, but not for any increase in it, except in an emergency, and that this Council has no power to vary it.
- (2) This Council cannot vary the amount of the interest and sinking fund charges on loans: that is to say, so far as this Province is concerned, the loans by means of which the great irrigation works have been constructed. The item of 75 lakhs round in head No. 14 is the one concerned.

" The Council has also no control over the budget allotment for expenditure of which the amount is prescribed by law;

or for the salaries and pensions of all India services and of High Court Judges. An instance of expenditure of which the amount is prescribed by law will be found in expenditure head No. 43—Famine Relief and Insurance, where a sum of Rs. 3,81,000 must every year be set aside as insurance or actually expended upon the relief of famine or the construction of works for the prevention of famine.

" Leaving out of account these limited exceptions, this Council has full authority to omit or reduce any item in the budgetted expenditure for the coming year. This is equally applicable to Reserved and to Transferred subjects, to Land Revenue, and Police and Irrigation, and to Education and Public Works. Members will find before them a tabular statement with a programme of dates and hours at which the demands under each head of expenditure will be laid before them for sanction under section 11 of the Government of India Act. An abstract statement of the proposed grants, which is also before them, is explained in detail by Appendices D and E to the Financial Memorandum. Thus any Member, who wishes to satisfy himself how the total of the grant for say "Transferred" Education is arrived at, will first turn up that subject in Appendix D and next in the Schedule of new expenditure and the list of works in Appendix E. These three together will tell him what are the items which make up the total, and will enable him to propose any item for omission or reduction, if he desires to do so. If he wishes for any explanation of the figures, and will visit the Financial Secretary in his office, the Financial Secretary will be happy to do what he can to help. Under No. 73 of the Standing Orders of the Legislative Council, notice of a motion to omit or reduce any grant is to be given two days before the day appointed for the discussion of the grant: so Members will find the programme of dates and hours for the discussion of grants a very necessary part of their equipment.

" I have said that the Council is empowered to reduce or omit any of the grants for which a demand is laid before it. It is necessary to add that this power to reduce or to omit does not carry with it any



authority to add to the grants or to appropriate a grant which is proposed for one purpose to another purpose. In other words, the Council is not empowered by law to initiate authoritatively proposals for expenditure which is not proposed by a Minister or other Member of the Government.

"Let us suppose that some Member of Council thinks it would be desirable to add a particular item to the grant for Education as proposed by my friend the Hon'ble Mr. Fazl-i-Husain. The Member who desires this addition would not be in order in moving during the budget discussion that the amount in question be provided. The course for him to take is this: He can table a Resolution recommending Government to provide for the additional expenditure. When the time comes for the discussion of that Resolution it may be accepted by Government, or otherwise carried in the Council: and, if either of those two results occur, my Hon'ble friend will doubtless find an opportunity, as soon as circumstances permit and financial rules allow, for demanding an additional grant to meet the desired expenditure. But all this will not be a part of the voting of grants on the Budget in regard to which the functions of the Council are strictly limited to the acceptance or refusal or reduction of grants which the Government at present demands.

"The procedure which will be followed in dealing with the question of the Amritsar indemnity furnishes a very good illustration of this important constitutional point. No private Member of this Council is legally entitled to move an appropriation of funds in the Budget for payment by Government of the amount of this indemnity. But, in accordance with the announcement made by His Excellency the Governor at the inauguration meeting of this Council, an opportunity will be given this afternoon for the moving of a Resolution on this subject, prior to the discussion of the Budget. If the Council decides to recommend to Government the payment of the amount, Government will forward that recommendation for the sanction of the Secretary of State and will modify accordingly the demand for grants which it would

otherwise have presented. That is to say, it will, when the Secretary of State's sanction has been received, present a demand, in due course, to the Council for an appropriation in order to pay the Amritsar Indemnity, and it will in the meanwhile make certain reductions in its remaining demands, in order to bring the aggregate budgetted expenditure within the limits to which it is restricted by the orders of the Government of India determining the amount of the closing balance.

"The items which will be omitted from the demands for other grants, if the Council decides to recommend Government to pay the Amritsar Indemnity, are the following:—

Under 5—*Land Revenue*—Rs. 15,000 for a scheme for the reclamation of the beds of sandy torrents, in order to prevent injury to agricultural land.

Under 8—*Forests*—Two lakhs for a scheme of forest exploitation, which is estimated to be profitable.

Under 25—*Jails*—Rs. 85,000 for a scheme for improvement in the working of prisons.

Under 32—*Medical*—Four lakhs for a Maternity Hospital.

Under 33—*Public Health*—One lakh for grants for sanitary works, half a lakh for the preparation of maps of congested areas in certain towns, and

two lakhs out of the annual contribution towards the cost of the Simla Improvement Scheme.

Under 34—*Agriculture*—Rs. 29,000 for increase in the Co-operative Societies establishment.

Under head 41—*Civil Works*—Rs. 50,000 for the development of stone quarries, Rs. 75,000 for land for the Larji-Mandi road, a lakh and-a-quarter for improvement to approaches of the new Telegraph Office at Lahore, and one lakh for colony roads.

Under head 47—*Miscellaneous*—One lakh for revision of contract contingencies for all offices.

Under *Major and Minor Works*—Rs. 75,000 for a Hostel for the Veterinary College,

one lakh for the Junior Training College at Jullundur, and

one lakh for the extension of the buildings of the High Court.

“ These reductions, provisional upon the acceptance of a Resolution recommending the payment of the Amritsar Indemnity, were determined after discussion between the Members of the Government and the heads of the departments concerned. We shall all much regret the necessity of making them if the decision of the Council should make it necessary to do so. But money can only be found for one purpose by deciding to abstain from using it for another purpose. The amount of our opening balance, and the aggregate of our annual revenue, is determined for us by facts. The amount of our closing balance is determined for us by the Government of India which has by law the authority to determine it. We arrive at our total permissible expenditure by a simple sum in arithmetic. If a man has only ten rupees in his pocket, he can only spend 10 rupees, and if he decides to spend five rupees on a visit to a fair, he cannot spend that same five rupees a second time on buying clothes for his family. The Council has therefore to choose between one group of objects for expenditure and another, and will be exercising this choice when it arrives at its conclusion upon the Resolution to be moved this afternoon.

“ It is in this liberty to choose, and in the responsibility for the right exercise of the liberty, that the true significance of the changes brought about by the reformed system of administration is to be found. When this Council decides upon its recommendation in regard to the Amritsar Indemnity, a recommendation which His Excellency the Governor has already signified his intention of accepting subject to the Secretary of State's sanction: when it gives its vote upon each of the demands which will, one by one, be presented to it, it will be doing something

which has not been done in India, I will not say from the beginning of time, for I know that there are those who are convinced that popular institutions existed at an early date, and I would not lightly raise any controversial questions of history, but for at least a thousand years. That is to say, we shall have for the first time the great, the arresting spectacle, of an assembly elected almost entirely by popular vote, giving, not merely advice, but authoritative decisions upon important matters of State. This is what makes this occasion unique in Punjab History. A body of representatives of the people elected by half a million voters will determine which of the items of expenditure proposed by the Government shall be sanctioned and which not. The liberty to decide means the liberty to decide wisely; it also means the liberty to decide unwisely: and power carries responsibility with it.

“ There are certain exceptional cases in which the Government will be legally entitled to act as though a demand had been assented to, notwithstanding the refusal of the Council's assent. One of these cases is restricted to reserved subjects only. I have no doubt all Members are familiar with the distinction between reserved and transferred subjects. The transferred subjects are those which are controlled by Ministers appointed from among the elected Members of the Council. The remainder are reserved subjects. If the Council, when dealing with a reserved subject, disallows or reduces a demand which the Governor subsequently certifies to be essential to the discharge of his responsibility for the subject, Government may proceed to expend the money required in spite of the Council's refusal. This is one case, and the Council should note that a special certificate of necessity given by His Excellency the Governor himself is essential before the Council's decision can be varied or set aside. The other case is the case of emergency. His Excellency the Governor has power in cases of emergency to authorise such expenditure as may be in his opinion necessary for the safety or tranquillity of the Province, or for the carrying on of any department.

"Except in these two very exceptional cases, the decision of the Council disallowing or reducing a grant is final, until the Council itself reviews its own decision on the presentation to it of a fresh demand by the Member or Minister concerned: and no expenditure can be incurred by Government otherwise than as authorised by the Council. If there is a mistake or an error of judgment, that mistake, that error of judgment, must stand, and this Council must accept responsibility for it if it re-acts injuriously upon the administration of the Province.

"It only remains to note in this connection that a permanent machinery is provided for watching over the expenditure of the Province and for ascertaining that no money is expended outside the scope of the demands granted by the Council. This is the Committee of Public Accounts, two-thirds of whose members will be elected by the non-official Members of this Council. This Committee will draw the attention of the Council to all irregular reappropriations and will act as the custodian of the constitutional rights of the Council to control the public finances.

"Having explained so much in regard to the functions of this Council and the means provided for their exercise, I invite the attention of Members to the total of the proposed expenditure in 1921-22. It is Rs. 11,75,37,000. A maximum limit was set to expenditure when this Government informed the Government of India that it proposed to reduce the closing balance to a particular figure. But it appears necessary to put before the Council some explanation of the considerations on which that particular figure was arrived at. Government is proposing to reduce its balance by spending 44½ lakhs more than the estimated revenue of the year. That policy is capable of being criticised from either of two points of view. We may be told that we are hoarding our resources unduly when a freer expenditure of them might be fruitful of good; or we may be told that we are heading straight for bankruptcy by undertaking to expend a sum so much greater than the total of our revenue for the year.

"In the first place, let us consider what is the true nature of that balance out of which we propose to spend 44½ lakhs. There may be some who picture to themselves a vast treasure vault in which a crore and-a-half of rupees lie idle, and who are tempted to say: "What is the use of keeping all that money there unused." Let me assure gentlemen of this House that there is no such treasure vault and no such mass of wasted treasure. What there actually is a, prosaic book entry in one of the Comptroller-General's ledgers recording a claim upon the general balances of the Indian Government. The Government of India have not got the money stored away in some Gargantuan pocket. They will arrange, by certain operations known as Ways and Means, to honour the claim as it is presented, bit by bit, and in accordance with the requirements of strict financial regimen. From a scrutiny of our budget, and from the records of the actual course of expenditure in previous years, they will calculate what is likely to be wanted and where, and they will do their best to see that the money is on the spot at the right time. But there must be no run upon the Bank: and if such a run were conceivable, the Bank would not necessarily be found to contain the amount of our claim upon it.

"Certain rules govern the right of this Province to draw upon its balance. One of these is that the Province shall, by a certain date, inform the Government of India how much it means to draw in the following financial year. But if the Government of India find that the Punjab proposes to draw so heavily upon its balance that the financial interests of India as a whole will be prejudiced, they may say: "You must not draw so much. The maximum must be such and such a figure." If this should happen, there is financial balm for us: for the Devolution Rules stipulate that they must pay interest to the Province on the sum which it proposed to draw but was not allowed to draw. There is, therefore, no reasonable likelihood that the power to restrict drawings will be exercised without grave reason.

"We still have to answer the imagined criticism of the Member who asks us why

we did not put the figure of our closing balance lower and get the Government of India to agree to a larger expenditure. In the first place, we must look back into the history of the Province and see where our opening balance comes from. All Members of this Council know that during the last 30 years a series of great canals have been built, bringing under irrigation tracts which were all but completely desert. Before the canals came, these tracts had no fixed habitations. Camels wandered over them, and, in years of good rainfall, cattle found grazing there. There was no cultivation except in a few depressions where water collected. No private persons had ever established proprietary rights in the land. No one would accept responsibility for it and it was the property of Government. When the canals were dug, and the deserts were turned into smiling fields and filled with a prosperous population, the colonists were allowed to acquire proprietary rights, for the most part at rates very far below the market value. The sales of these lands in recent years have yielded a sum which, as explained in the Financial Memorandum, is not far from equal to our opening balance this year together with the crore of rupees which was lodged with the Government of India some years ago in consideration of an annual assignment of 3½ lakhs.

"You have thus a balance which has been earned by the sale of a valuable property. But you cannot sell property twice over and this money is clearly not ordinary income. When you have spent it, it is gone. It will not come in year by year, fresh and fresh, as the land revenue or the income-tax come. What would be the position of a man who sold his land for Rs. 10,000 and then proceeded to live comfortably, spending Rs. 2,000 every year? In five years he would have nothing left. Here then is one good reason for not spending the balance too fast. In spending it, Government is spending its capital, because it represents the value of property which has been sold once for all. And remember this, when we say that Government is spending, we mean that the people of this Province are spending: and when we talk of the capital of the Gov-

ernment, we mean the capital of people of this Province, for whom this Council is the trustee.

"There are other good reasons for not spending a balance too fast. We all of us know by our personal experience the difference between recurring and non-recurring expenditure. A man cannot necessarily afford to buy a horse because he has the money in his pocket to pay for the animal. He must think whether he can afford, month by month, to pay for the feed and to pay for the servant to look after the horse. In just the same way, Government has to look very cautiously at all recurring expenditure. It may have the money to put down for a school or a hospital or a new metalled road. But the school and the hospital must each year have their staff, their materials, their medicines, the building, and the road must each year be regularly repaired. Multiply these, and the recurring expenditure involved, by a thousand or by many thousands and you have a picture of the position of a Government forced to be cautious in regard to non-recurring expenditure by the recurring expenditure which it involves. A judicious Government must not, whatever its balances may be, commit itself to recurring expenditure in excess of its recurring revenue.

"There is another cause which in practice operates to make it undesirable to expend a balance too rapidly. Before expenditure can be undertaken, schemes must be worked out in detail and carefully scrutinised. That is why financial rules prohibit the inclusion of schemes in the budget proposals until they have been looked at from every point of view, financial and other, and have received what is called administrative approval. Finally, there is the difficulty which presents itself in many departments, but most insistently where engineering works are concerned, of spending more than a certain sum in a certain period, because of inevitable limitations upon the speed of working. It would be financially advantageous to construct the Sutlej valley system of canals in a couple of years, but however much money could be provided for the purpose it could not be completed in less than five. Our answer then to the critic who calls us over-

cautious is that our balance is derived from the sale, outright and once for all, of a provincial property, and can only safely be expended on something which is in the nature of a capital investment, but that circumstances restrict the possibilities of such capital investments and the speed at which they can be made: that, if expenditure of other classes is too rapidly increased; our commitments in recurring expenditure will be such that—when the balance has been exhausted and we have to rely solely upon recurring revenue—they cannot be met: and that we believe that we are undertaking during the year just about as much as our administrative machine is capable of doing without hurry and without waste.

"We have a less convincing answer perhaps to give to the critic who attacks us from the opposite direction and charges us with eating up our capital resources, such a critic would say: 'You spent 60 lakhs more than your revenue in the current year, and you are proposing to spend 44½ lakhs more than your revenue in the coming year not including clearly eleven lakhs which is required to finance from advances under the Provincial Loan Account. Even the revenue for which you take credit in the coming year includes 53½ lakhs for land sales, which is not recurring revenue, but is derived from the sale of property outright. How long, pray, do you imagine that 140 lakhs is going to last at this rate, and how do you propose to effect the necessary reductions of expenditure, when there is no more balance left for you to draw upon?'

"It is true that the Province has reduced its indebtedness by paying off the Provincial Loan Account, that is to say, by discharging the debt which it owes to the Government of India on account of advances to landowners and cultivators and loans to Local Bodies. But in saying that we are spending 60 lakhs this year and 44½ lakhs next year over and above income, our critic excluded this item of debt discharged, and these uncomfortable figures still continue to face us. The best we can find to say in justification is that thirty-six lakhs of our budgetted expenditure is on capital account for irrigation

works, and on other expenditure of a capital nature: that we desire to make liberal provisions in order to get the new Ministers well started with their transferred subjects; that Provincial revenues may be expanding to a small extent by the time that the balance is nearing exhaustion; and finally that there is always the resource of additional taxation. I fear it is but a lame defence, but it is the best I find myself able to offer, and I should not be doing my duty by this Council if I did not make it plain that we are going to the extreme limit of safety in our proposals for expenditure.

"Each head of expenditure over which the Council exercises control will be explained to such extent as may be necessary by the authority administratively responsible for it in presenting to the Council the demand for each grant. I do not propose therefore to do more than to draw attention to a few salient features and to explain certain points on which misunderstanding might otherwise occur. It is true that we are proposing to expend 44½ lakhs more than our estimated income, but one great fact goes a long way to account for this. I have quite recently seen it stated in a leading vernacular paper that Government does not care to increase the salaries of its humble servants. The pay of the non-gazetted establishments, as they are called, amounted on the old basis to nearly a crore and-a-half of rupees per annum. The budget provides, under the different heads of the different departments, for an addition to this sum of ninety lakhs per annum, giving an aggregate increase of sixty per cent. It is this which accounts for the largely increased expenditure under the heads of Land Revenue, Administration of Justice, and Police and it affects the expenditure under other heads also.

"This greatly increased expenditure on establishments is the principal feature of novelty in the expenditure budget. The expenditure on Forests will rise from Rs. 33,58, the revised estimate for 1920-21, to Rs. 49,12: but this is a productive outlay which brings its own return and there are corresponding gains on the revenue side. A portion of the increased



charges under the head Administration of Justice is due to the provision made for an additional temporary Judge for the whole year. There is a great increase, from Rs. 70.01, the revised estimate, to Rs. 86.09 under the head of Education, a change which I have no doubt this Council will welcome. The Medical and Public Health heads show even greater increases from 20.70 to 29.78, and from 9.64 to 18.77, respectively: and the increase under Industries is from 1.85 to 6.65. The provision for Civil Works has risen from the revised estimate figure of 1.16.12 to 1.59.78. All these increases are in the transferred departments controlled by Ministers.

" Under head 47—Miscellaneous there is a lump provision of 9.30 for new expenditure, which includes the Local Government's usual reserve of five lakhs for unforeseen expenditure. I must explain to the Council that this sum of five lakhs will not be included among the demands to-day submitted. It is inserted in order to make it possible for the Council at some future date to sanction supplementary demands for grants, without exceeding budget provision. But it will not be open to the Government to expend any portion of this grant without submitting to the Council and obtaining sanction to a demand for new grants. That is a fundamental principle of the reformed administration from which it is not intended to depart except as expressly authorised by law.

" I shall not detain the Council more than a very few minutes longer. I have said that when we say that Government is spending we mean that the people of this Province are spending: and when we talk of the capital of Government, we mean the capital of the people of this Province. I have often seen, all of us must often have seen, discussions on questions of public finance which appear to assume that the Government is a sort of greatly magnified human being, collecting and spending for his own whims and his own pleasures, much as a landlord who had extravagant tastes might collect and expend his rents. It has been assumed that he might collect less and expend more, as though he had

possession of the purse of Fortunatus, which always contained a gold coin however much had been taken out of it. This imaginary being has been asked, almost in the same breath, to reduce the land revenue or the income-tax, to forego the value of Crown lands, and to double or triple the expenditure on Education, Industries, and Sanitation. Year after year the public accounts have been published showing how much was collected, and from what sources, and how much was expended, and on what objects. But still some people have seemed to suppose that the giant being whom they called the Government found means to dip his own hands into the treasure, to indulge mysterious appetites of his own, and could, if only he would, take less and give more.

" The ancient Hindu scriptures had a much truer conception of the financial functions of the ruler. A splendid metaphor in the Laws of Manu brings before us the picture of the king drawing taxes from his kingdom even as the sun draws up the water with his rays, during the eight dry months: in order that he may, like Indra, distribute the moisture in refreshing rain for the nourishment of his kingdom. Since only that which has been taken can be given again, it was the king's duty not to abstain from taking any just due. 'No king, however poor, shall take that which ought not to be taken: nor shall he, however rich, decline to take that which he ought to take, be it ever so small.' Here is the complete conception of the ruler as trustee: a trustee who depends upon his revenue for his power to undertake a fruitful expenditure: who cannot give that which he does not take.

" I do not disguise from myself that there was some justification for misconception of the financial limitations of Government during that period which has to-day come to a close. Accounts and explanations of accounts are hard to come by: and yet harder to understand, when there is no experience of public business to serve as a clue to them. The ways of an autocratic administration, controlled only by distant autocratic authorities, seemed mysterious: and there was no regular recognised machinery for scrutiny,



and none of that encouragement to persistent investigation which is given by a definite power of authoritative control.

"All that is changed from to-day. This Council is dealing with the money of the people of this Province, and it shares with the Government those functions of the ancient ruler who drew his revenues as the sun draws up water, in order that he might shower good things upon the earth as Indra showered the rain. Our records lie open, that each Member may learn for himself, and decide for himself, what is wise to do and what unwise. May each and everyone of us remember that he decides as a trustee for the people of this Province, bound to neglect no portion of that administrative machinery on which the security of person and property and mental, physical and economic development depend.

"With these remarks I present to this Council the budget for the year 1921-22."

**The Hon'ble the President.**—"I should again like to draw attention to the points brought out by the Hon'ble the Finance Member, namely, that on the 28th February and 1st March there will be a general discussion of this budget. On those dates no votes will be taken. Votes will begin to be taken from the 3rd March. Two days' notice of any motions to be moved must be given before the date on which each vote comes up; that is to say, for the votes of the 3rd notice must come in by the 1st; for the votes of the 4th notice must come in by the 2nd, and so on. I ask members very carefully to note this, because any notices put in after due date will not be admitted."

## THE AMRITSAR INDEMNITY.

**Diwan Bahadur Raja Narendra Nath.**—

"The resolution which I have the honour to move runs thus:—

"That this Council recommends to His Excellency the Governor in Council that the sum imposed in connexion with the disturbances of April 1919 on the inhabitants of the city of Amritsar as indemnity

for the loss and as payment for additional Police be remitted, and that the money advanced by Government to the Amritsar Municipality to meet the liabilities incurred on this account be debited to the accumulated balance of previous years in the provincial revenues."

"I listened very carefully to the Financial Statement presented by the Hon'ble the Finance Member and I anticipate the difficulties which I will have to meet when the question of financial provision comes up. But I have on other grounds an overwhelmingly strong case, and I should like to say in detail all that I wish to say.

"Disturbances occurred in the Punjab in 1919—in the first fortnight of April 1919—and certain areas were declared as disturbed and dangerous areas under section 15 of the Police Act. This was after all the events which occurred in the disturbances had taken place. First of all I should like to deal with the legal aspect of the case. For the legal view of the case I must acknowledge my indebtedness to the Bar Association of Amritsar who passed some resolutions and brought them to my notice. They probably also forwarded copies of them to Government. My friend the member for the Muhammadans for the city of Lahore has in one of his questions drawn the attention of Government to these resolutions. I have given careful thought to the legal aspect of the case as put forward by the Bar Association, and I am prepared to accept their views. I should like to explain to the members of this Council what the law is. The sections of the Police Act applicable to the case are sections 15, 15-A, and section 16. Section 15 authorises the Local Government to proclaim a certain area to be in a disturbed and dangerous state. It is then lawful for Government to employ additional Police and to burden the inhabitants with the cost of that Police. Then comes section 15-A, which is an addition made to the old Act V of 1861 by Act VIII of 1895. There were some other changes also in the former Act. But section 15-A is altogether a new section. This section authorises Government through the District Magistrate to call for applications for compensation in respect of

injuries inflicted during the disturbances. It empowers the District Magistrate to fix the amount of compensation, to assess the proportion which the inhabitants ought to pay, and to proceed to the recovery of the amount. Section 16 authorises the recovery of the amount as defined under sections 386 and 387 of the Criminal Procedure Code. Now from the wording of section 15-A, it seems to me to be clear that the injuries to be inflicted during the disturbances should follow the notification which is issued in respect of the disturbed area. Section 15-A is in these words:—

“ ‘If in any area in regard to which any proclamation notified under the last preceding section is in force, death or grievous hurt, or loss or damage to property has been caused, and so on.’ ”

“ Now the words are not ‘has been issued’ the words are ‘is in force.’ ”

“ Besides that, we have to see to the arrangement of the sections. Section 15 provides for the issue of proclamation and it comes before section 15-A. Then a comparison of the law as embodied in these two sections with the law as it existed before strengthens the view which it has put before you. Sir Antony MacDonell who was in charge of the Bill in 1895, while presenting the report of the Select Committee made these remarks. (I have culled these remarks from the proceedings of the Legislative Council of India as published in the Gazette of India Act 1895). Sir Antony Macdonell said:—

“ ‘The Bill differs from the existing law on the following points. The notification proclaiming the area may be prior to, and not simultaneous with, the order to quarter additional police. Further, as a general rule no doubt action will follow without delay on the issue of proclamation, but there may be cases in which the mere issue of proclamation will bring the contending parties to a due sense of their responsibility and perhaps by forcing them to compose their quarrel obviate the necessity of any further precautionary measures.’ ”

“ Now the object of the proclamation is to give a warning and that object is frustrated if the proclamation is applied retrospectively, that is to say, if the proclamation awards compensation in respect of injuries caused in the days preceding the proclamation. The comparison of the existing laws with the law as it existed before, the speech of Sir Antony MacDonell, the wording of section 15-A, as also the arrangement of the sections make it clear to me that this is the meaning of the law.

“ Then it seems to me that the method for the recovery of the amount was not perfectly lawful. There is only one section applicable to it and that is section 16. I do not think that the Municipal Committee should be entrusted with the duty of realising the tax. I comprehend that the Government realised the difficulties in their way. They thought that the tax was an unpopular one and it was undesirable to recover it as a direct tax. They therefore asked the Municipal Committee to recover it. But it seems to me that the Municipal Committee had no such power. In their early proceedings I understand they passed a resolution undertaking to recover the amount. But that resolution does not in any way put them in a binding position. There are besides complaints that the assessment of the compensation was excessive and extravagant and that in some cases it was in respect of injuries which do not fall within the purview of section 15-A.

“ I would not weary this Council with the details, and I will not go item by item into the list which has been given to me by the Municipality. If any member of the Council wishes to go into the details and take up the matter item by item, he is, so far as I am concerned, quite welcome to do it. Besides that recently a correspondent of the *Tribune* brought before the public another view which I put before the Council for what it is worth. I would not lay much stress upon it. He said that civil jurisdiction in Amritsar City had ceased when the proclamation was issued. The City was under military authority and not under the Punjab Government. Therefore the Punjab Government had not

the power either to issue the proclamation or to call for applications for compensation under section 15-A. So much for the legal aspect of the case.

"There are important political aspects involved. There is a difference of opinion between Indians and Europeans about the location of responsibility with regard to the events of 1919. I am glad to say that Indian opinion is gaining ground and the official opinion is coming round to the Indian view gradually. The Indian view is that the excitement of 1919 was of an ordinary kind, and that it could have been avoided by tact and sympathetic treatment as was done in other Provinces. If that had been done, the extreme conditions would not have come into existence. If I am permitted, I may describe the Indian view in the form of an adage. Suppose there was an epidemic of boils in the country. A, B and C got boils. A had recourse to poultices and other cooling appliances to soften the tissues. The tissues became soft and the boil burst, and the trouble was over. B had no recourse to the cooling poultices, but at once opened the boil and the result was a big wound. It was apprehended that the blood was poisoning and the patient might die. If the cooling poultices had been applied, these extreme measures would not have become necessary. The main thing, against which Indian opinion goes, is that repressive measures were adopted in quick succession. As to what is said about the inflammability of the population of the Punjab, it was only partially correct. There is difference between the temperament of the people of the Punjab and that of other Provinces. But an excited crowd is everywhere the same. It does not differ in its essential features. Where people are not solely to blame, I ask is it just, is it wise, is it prudent, to impose a heavy burden on the inhabitants, the majority of whom are perfectly innocent: a large number of whom have already suffered heavily in many ways: many of whom were active supporters of law and order and gave help in the suppression of disturbances caused by a small section of the people whose number was swollen by large crowds from neighbouring villages. It should not be forgotten here, and I may

repeat what I said before, that there are loud complaints about the assessment of compensation having been excessive and extravagant, and having been awarded in respect of injuries which do not fall within the purview of section 15-A. I may further point out that Indians and Indian conditions are rapidly changing, changing with a pace which even we are unable to realise. In 1919 experienced officers on the one hand were anxious to do anything that would save their reputation and constitutional agitators on the other hand were naturally anxious to avoid revolution. It seems to me that neither party was able to realise the change that had taken place in the political ideas of the people. Officials had recourse to measures which on previous occasion had produced temporary tranquillity but which in 1919 caused an outburst. I would ask Government and this Council not to repeat the mistake. Look over the programme of advanced politicians and ponder over each item in that programme. I would do nothing that would goad them to acts, which though non-violent, yet pernicious in their nature and pernicious in their consequences. I have perfect confidence in the sobriety, wisdom and independence of this Council. I am sure they will be doing justice to their constituents when the question comes up for discussion. But I may say one thing that even if the decision of the Council is adverse, I would ask Government to consider the circumstances under which this Council has been formed. The personnel of the Council has to a certain extent been influenced by the movement of non-cooperation. There are many advanced politicians who are out of this Council. I do not wish to put any obstacle in the way of administration, but I wish to smoothe the path of administration and secure co-operation from all, not only to secure it but to utilise all the moral forces which would compel co-operation."

**Mian Muhammad Shah Nawaz.**—"Sir, I rise to give my hearty support to the resolution so ably proposed by my learned friend Raja Narendra Nath. I quite agree with him that the imposition of the indemnity tax by the Local Government under section 15-A of the Police Act was

quite illegal as the Local Government had not issued a preliminary proclamation declaring that the city of Amritsar was in such a dangerous and disturbed condition as to make it expedient for the Local Government to increase the number of the Police. As you are aware, the disturbances took place on the 10th of April, and the proclamation was issued on the 13th April, i.e., 3 days subsequent to the injuries caused to the Europeans, and under the provisions the proclamation has no retrospective effect on those incidents which were caused on the 10th. This is quite clear from the language of section 15-A. My friend Raja Narendra Nath has already invited the attention of this Council to the words "in force." "In force" means subsisted, that the proclamation should have subsisted on the 10th of April when the mob violence occurred. Raja Narendra Nath has also referred to the speech of Sir Anthony MacDonell who was President of the Select Committee, to whom this Bill was referred. But I invite the attention of the Council to the report of the Select Committee which is very clear indeed on the point. This report is given on page 36 of the *Government of India Gazette*, Part V. I have brought the *Government of India Gazette* with me so that the point may be clear. It is this. "We have made important changes in section 4 of the Bill as introduced. Section 4 corresponds to section 15 of the Police Act. We have in the first place provided as to the issue of a preliminary proclamation by the Local Government declaring a local area to be in a dangerous and disturbed state or that the conduct of the inhabitants is such as to make it expedient to increase the number of police. The notification of this proclamation of the Local Government must precede the further action to be taken either in the terms of quartering an additional police force or to the award of compensation for the injury suffered under section 16."

"It will be interesting to note here the gentlemen who composed that select committee. On this select committee there were nine members, of whom six were Englishmen and three Indians; and it is remarkable that all the Indian members

unanimously opposed the insertion of this section 15-A in the Act. They were all unanimous in saying that section 15 should have been eliminated altogether, and the procedure laid down was repugnant to all enlightened administration. Mr. Chitnavis, Mr. Roy, Mr. Lakhmir Singh and Mr. Mehta made very important speeches on the provisions of this section, but in the teeth of all this, section 15-A and consequently section 16 was inserted in the Bill. However, it is not a matter for discussion. It is a matter for the consideration of the committee, which in accordance with the resolution introduced by Mr. Shastri in the Council of State, may be looked into whether it is not possible to strike out this section 15-A and consequently section 16 from the Act altogether.

"Now, gentlemen, what is the object of this Police Act. I invite your attention to the various sections. Section 1 runs thus:—'Whereas it is expedient to reorganize the Police and to make it a very efficient instrument for the prevention and detection of crime . . . . . That was never meant to punish the inhabitants in a certain local area. Further, what is the object of the Act? This was explained by Sir Antony MacDonell in his speech. He says that the perpetrators of the crime cannot be traced. They are men of bad character. If they are found, they are sure to be poor men. Those who are injured are also poor. Therefore we can lay hold on men who are not guilty, but can pay, in order to warn the respectable and more influential people to exert their influence over the inhabitants and tell them not to make any more violence, i.e., a proclamation prior to the injuries caused must have been issued by the Local Government. As I say the mob excesses occurred before the proclamation was issued on the 13th. Therefore, any indemnity imposed on the inhabitants of Amritsar is totally void *ab initio*."

"Sir, the procedure laid down under section 15-A and consequently section 16 is certainly repugnant to all enlightened administration. It gives enormous power to the District Magistrate—enormous power to District Magistrate to realize the taxes from whomsoever he thinks fit and

compensate whomsoever he likes. Under these circumstances the language of section 15-A should be construed strictly because it interferes with the legal right of the people, and the proper construction will be that the preliminary proclamation should have been issued prior to the 10th of April. And the indemnity exacted from the inhabitants of Amritsar was to be exacted in the manner provided for in section 16, that is to say, by the removal and sale of property belonging to the inhabitants. The word 'inhabitants' of course under the Act includes not only the residents, but all those persons who own property there. The Local Government had no authority to delegate its power to the Municipality of Amritsar, nor could the Municipality of Amritsar take the responsibility upon itself to realise the compensation from the inhabitants of Amritsar. The functions of a Municipal Committee are defined in the Municipal Act. They can only realise taxes for their own use and those taxes are to be deposited in the Municipal fund. How can the Municipality, even if it could realise the indemnity tax from the inhabitants of Amritsar, hand over that sum to the Local Government. That would be impossible, and I submit that on this account also the Municipality has no power to realise the indemnity.

"Then, I understand that certain applications were made which were barred by time, that is to say, they were not submitted within 15 days, and the compensation awarded to many Europeans and Banks was quite excessive. I need not go into it, because my time-limit is expiring. But I understand that the National Bank of India and the Alliance Bank have made the best bargain."

"I now come to the political aspect of the case. Sir, the wound inflicted on the inhabitants of Amritsar is deep. It is still painful. It cannot be healed by words only. We must do something practical and substantial. We all sincerely desire that in these critical times we should co-operate with the Government and make the reforms a success. I think it would be far better for this Council and for the Government to pass this resolu-

tion. His Royal Highness the Duke of Connaught has already remitted the indemnity imposed on the town of Ahmedabad, and I submit that it will be proper for this Council to pass this resolution. As the time-limit has expired I beg to be permitted to resume my seat."

**The Hon'ble the President.**—"It is now 1-30, and the Council will adjourn for lunch till 2-30 p.m."

*Re-assembling after lunch.*

**Khan Bahadur Sayad Mehdi Shah** made a speech in Urdu, a translation of which is as follows:—

"It is needless to discuss why an indemnity was imposed on Amritsar. The question is why the indemnity imposed upon the residents of Amritsar should be paid out of the provincial balances, the greater part of which has been realized through the labours of zamindars by the sale of Government lands. Such sales are not likely to take place again for a long time to come, because the greater part of these lands have either been sold or allotted. The expenditure, which has been incurred or will be incurred on account of increase in the pay of establishments, erection of buildings, will continue in proportion to the annual income. A considerable part of very important items of expenditure will, as explained by Sir John Maynard, have to be cut down. I object to this and would urge that the indemnity money should not be paid out of provincial funds. The city, on which the indemnity was imposed, must pay it. If it does not, the consequence will be that the people will commit such acts without any fear, seeing that the indemnity imposed upon them will be paid by the zamindars. If there is a very large balance, land revenue should not be raised on the occasion of the next settlement. The balances should be utilized for agricultural improvements, so that the benefit may accrue back to provincial funds. In case the money on account of the indemnity is paid out of the provincial balances the other Municipal Committees will make similar demands. In any case, it is undesirable to pay the indemnity out of the balances. Raja Sahib has remarked



that the indemnity was illegally imposed upon Amritsar. The question before us is whether the indemnity should be paid out of provincial balances or by the Amritsar population. The major portion of the provincial revenues is contributed by the zamindars who took no part in the disturbances. Why, then, should those innocent people pay an indemnity for the Amritsar population. An application has been made to draw upon the provincial fund because there are large balances. Supposing there were no balances. What should we do then. More money will be needed day by day and they will be held responsible for having given the money. The zamindars should get concessions, and it is not fair to make them responsible for the acts of others. In these circumstances the indemnity should not be paid out of provincial balances. Money is needed for roads, hospitals and education. Such being the case, money for paying the indemnity should not be paid out of provincial balances. It would be highly undesirable to pay it out of the money realized from the zamindar community."

**Mr. K. L. Rallia Ram.**—"Sir, I rise to support the resolution so ably put forward by Diwan Bahadur Raja Narendranath. One cannot but admire the lucid exposition he has given of the whole case, although one also regrets at the same time the controversial element which has been unfortunately brought into the discussions that have taken place. It is really hard for anyone to take an impartial and dispassionate view of the whole situation brought about in 1919. Past is past and cannot be recalled. Large compensations were paid to those who suffered during the catastrophe of 1919. That money cannot be refunded irrespective of the fact that the assessments were made judiciously or injudiciously. The Government by the introduction of reforms has conferred rights and privileges on the people and has inaugurated a new era of peace and good-will. It is in the fitness of things that all unpleasant memories of the past should be obliterated, just as two friends who have quarrelled and want to make up their past differences while renewing their past broken ties of friendship will do better to avoid all past references; so the

Council will act in a spirit of statesmanship and wisdom if it could eliminate all debatable material relating to the subject. I maintain, Sir, that the money should be remitted, but out of the accumulated balances, or some other source which might be found. If we pay it out of the current revenue, we will temporarily kill many other projects which should be carried out for the good of the people of other districts. These deprivations will mean a punishment to them. I hope the spirit and intention of the original mover of the resolution will find favour with the House."

**Pandit Daulat Ram, Kalia.**—"Before speaking on this resolution I want to invite attention to a point of order. On the 8th of last month His Excellency the Governor addressed this Council and left the question of this indemnity entirely in the hands of the members of this Council. A recommendation by this Council that the indemnity may be remitted by the Government should not be in the form of a resolution because that matter has already been left in the hands of the Council. Now it can only be done by means of a formal address."

**The Hon'ble the President.**—"The resolution is in order."

**Pandit Daulat Ram, Kalia.**—"I will then deal with the legal aspect of the case, as arguments have been brought forth to show that the indemnity was illegally imposed. It has been said that the proclamation was not in force, but the law is to be interpreted as it is and it is not the business of this Council, the majority of which consists of laymen, unacquainted with the procedure of Codes and have not the benefit of sitting as Judges. If there is no case law in India, on the subject, we have to go to other country, where similar law is in force, and to find out how things stand. In England, from which country the Indian law on the subject is imported, the people of a police district are required to pay for the damage done by a riot. In ancient times it was the Hundred that paid the damage. Since civilised society came into existence and the idea of corporate life and private property took its birth, it is the duty of every individual to prevent the commission of riots. We have a



similar law in India and we see that track law requires that the whole village, to which the foot-prints of a thief go, should pay for the stolen property. The liability is vicarious, but it is there. If the people of the city of Amritsar were sitting silent when violent crime was being committed, and when arson and murder, the most heinous crimes against society, were being indulged in, it is no reason that they should not pay the indemnity now. The law requires that people should prevent the commission of riots, and if they sit silent to see the *tamasha* they cannot now say that they should be relieved of the liability.

But there are other considerations on which the indemnity should be excused. In December 1919 the King issued a proclamation inviting the rulers and the ruled to forgive and forget and asking different classes of his subjects to promote peace and good-will. We have seen that since the proclamation the Government has done whatever was in its power to promote good-will and conciliation. We are here in this Council and still show that we are prepared to promote peace and good-will. It is on this account that the indemnity should be remitted.

There is another point, which is this that the Bar Association of Amritsar has sent its opinion to each and every member of the Council asking him to do his best to get the remission of the indemnity. In these days of non-co-operation when the resolution of the Congress was that no services should be taken from the members of this Council the intelligence of Amritsar has thought fit to come forward and to ask the members to represent their case. We should take it as an earnest of good-will and conciliation from the people of Amritsar, and in consideration of this fact the indemnity should be remitted. I do not agree with Diwan Bahadur Raja Narendra Nath that it should be paid out of the accumulated balances of the province, as this money, as the Hon'ble Sir John Maynard pointed out, was earned by selling the property of the people."

**Khan Sahib Chaudhri Fazal Ali** spoke in Urdu and said that the resolution involved two questions—(1) the remission of

the indemnity, and (2) its payment out of the accumulated balances. He conceded that the Government out of its generosity could excuse the indemnity; but that did not mean that it should be debited to the accumulated balance. He was opposed to the latter part of the resolution and said that the zamindars were not prepared to meet the liabilities of Amritsar. Why should village roads, sanitation and education be made to suffer for the acts of the people of Amritsar?

**Sayad Muhammad Hussain.**—"This is one of the most difficult questions with which the Council has to deal in its very infancy, namely, the realization of the indemnity of 19 lakhs of rupees from Amritsar.

"If the Council were to vote for the collection of this indemnity from Amritsar Municipality, it will be giving its assent to the levy of a tax both illegal and unwarranted; if on the other hand, it were to vote that the burden be put on the provincial funds, the budget will suffer and much of the useful work in contemplation before the Council will remain undone for want of funds; besides the whole province will suffer for the acts of violence of a few.

"The first thing we have to consider is whether the indemnity levied on Amritsar was lawful and legal. If not, how can the Amritsar Municipality be entrusted to realize the heavy sum and under what authority. The resolution passed by the Bar Association, Amritsar, on the 14th January 1921, describing the legal aspect of the indemnity, leaves no doubt as to its illegality.

"Besides it must be the first duty of this Council to secure the trust of the public, to try to remove the misunderstanding now existing between the European and the Indians and to atone for the acts of cruelty perpetrated during the unfortunate Martial Law days on the innocent and law-abiding public by acts of kindness and love. Great as is our abhorrence for the acts of violence, murder and incendiarism committed by a few ruffians in Amritsar for which the whole population had to undergo penalties and

intimidations unparalleled in the history of the civilised world, we cannot vote for the levy of indemnity from our innocent Amritsar brethren. Again, there are hundreds of the victims of Martial Law, loyal and law-abiding, urban and rural, with no concern whatsoever with politics or agitation, who suffered loss of life and property equally dear and sacred to them without a murmur by the mistake of the officers entrusted with the administration of Martial Law. If they are not compensated, we would better let go the victims of Amritsar as well uncompensated and try to forget the unfortunate happenings of 1919.

"In my opinion, the provincial budget should not be burdened with this heavy extra sum, nor the people of Amritsar be called upon to pay it. As the levy was quite unlawful, it must be refunded by the persons to whom it was paid without the assent of this Council, or it should be paid as resolved by Diwan Bahadur Raja Narendra Nath, first, from the accumulated funds, and subsequently money be realized from the Government owned *nazul* land within the municipal limits of the Amritsar Municipality."

**Khan Bahadur Mir Muhammad Khan.**

"Sir, I have full sympathy with the Amritsar people and would like to see them relieved of the liability to pay the indemnity imposed by the unfortunate circumstances. But the crucial point is to find out just and requisite means to meet this demand. To recall to mind or to bring to the public notice the gloomy scenes over and over again is not the solution of the question, and I feel we should rather be careful in the discussion of this point. Otherwise it is liable to be misunderstood and misinterpreted by the general public whereby it will revive dismal memories and it will result in something more unpleasant. The question is whether the indemnity should be paid by the local body as representative of the Amritsar people or it should be paid out of the provincial revenues. If we set aside all sentiments, and decide the matter upon principles of justice and equity, then the solution is very simple and we can say that those people who were in the troubles

must bear the burden. Why should the zamindars, who live in distant districts of the Province, be saddled with the costs of these troubles. We cannot possibly be justified to demand this amount or the amount of penalty from the innocent zamindars who are living in various districts of the Province and who had nothing to do with the troubles. It is just like a case in which a Magistrate or a Judge, who tries the case, cannot and will not inflict fine on the neighbours of the accused whom he finds guilty. But we have not to discuss here the guilt or innocence of the people. The question here is whether the burden should be borne by the provincial revenues or by the local body who is representative of the Amritsar people. In my humble opinion the burden should be borne by the local body, and if the legal point is insurmountable then we should find other ways and means to meet this demand, and I think that the suggestion made by the member that if there is any *nazul* land lying in the Amritsar City, then that should be sold, and the sale proceeds should be devoted to meet the Amritsar indemnity. But I think it is unjust if we resolve that the amount of indemnity should be paid by provincial revenues because that will amount that we will saddle the innocent people. It would be looked upon by the zamindars that they were found guilty and that they have been fined."

**Sardar Bakhtawar Singh**, who spoke in Urdu, proposed that the Government of India be moved to increase the rate of interest that they were paying on the one crore of rupees with them, i.e., that the interest should be raised from 3½ per cent. to 6 per cent. That would meet the liabilities of Amritsar in eight years.

**Mian Ahmad Yar Khan, Daulatana.**

"Sir, it is always very difficult to choose between what one wishes to do and what one ought to do. The question of the Amritsar indemnity places us in the same inconvenient situation. I am neither a lawyer, nor a politician, and therefore can neither discuss the legal aspect of this question nor offer a political solution of this great riddle. But I think no statesman's skill or lawyer's learning is required

to understand one thing about it which is this that the money has been paid, whether rightly or otherwise, out of the Government treasury and it is to be re-imbursed. Any discussion on the merits or issues of this unfortunate question will, I am afraid, revive the ghastly memory of the sad incidents at Amritsar and the days of Martial Law. There is no question in the world regarding which much cannot be said on both sides and this problem is no exception to the general rule. There is however one fact that should not be lost sight of in the present discussion. The misconduct of the inhabitants at Amritsar was the result of the so-called revolutionary mood of the whole province, and there is no reason why they should be singled out to pay the penalty of the transgression to which the province as a whole subscribed. There is something more. They have, I think, paid enough penalty for whatever crimes they committed and no more punishment should be heaped upon their already long list of punishments. The immortal Ghalib has perhaps given a ruling in his famous verse:—

ہوتی ہے کوئی حد بھی عقوبت کے واسطے  
ما نا کدگار ہوں کافر نہیں ہوں میں۔

“Let there be a limit to punishment.  
I have transgressed but have not  
disclaimed thee.”

“Allow me to say that if this is done, the work contemplated by the gracious Proclamation of His Imperial Majesty and substantiated by our good hearted Governor will be undone. Let us therefore find a remedy not in retaliation or even justice unseasoned by mercy but in spirit of charity and sacrifice. I grant it will be a great sacrifice from a purely financial and economic standpoint, but as Montaigne has said ‘It is easier to sacrifice great than little things.’ Let us therefore try to do so as much as our circumstances will bear for the ease and convenience of our fellow-citizens of this province.

“So far as I understand it is the will and intention of His Majesty’s Government at Home and in India that a new era

of good-will and mutual understanding should dawn in this historic land—the gem\* of the British Empire. It is our sacred duty to help this noble wish in its realization. Let us, therefore, with clean breasts forgive each other and forget the past. In hair splitting and discussing the question in a legal or logical manner, we might be able to institute a case against the inhabitants of Amritsar. We may prove their liability and we may even force them to pay this penalty, but surely we will lose some friends. Friendship should be more precious than money. But if we fail to establish the legality of this demand, I am afraid we will be deprived of the one opportunity of expressing our regret for the past, sympathy for the present and hope for the future. I would not run that risk under any circumstances. Therefore, I beg to offer my humble suggestion respectfully, yet strongly, that the Government may be pleased to free the inhabitants of Amritsar from this liability and distribute the sums paid among the possible items of the general expenditure of the whole of this province. I am confident that by this measure more things will be wrought than can be achieved by a two-and-two-make-four policy. India has a world-wide reputation for her spirit of gratitude. Let us try to win it for it will be only this cement that will hold firm the fabric of our great and glorious empire.”

**The Hon’ble the President.**—“Does Mr. Ganpat Rai wish to move his amendment now?”

**Mr. Ganpat Rai.**—“I am not going to move my amendment until I know from the President whether the Government are prepared to admit the legality or illegality of the question; whether the penalty imposed upon Amritsar is legal or not. I think it will simplify matters if we have an expression of the Government views on this matter. Will the Government be pleased to make a statement?”

**The Hon’ble Sir John Maynard.**—“Perhaps, it will be useful at this stage if I give a few facts explaining what the position of Government is in regard to the question of legality. I should like to say all I have to say at once and give some

of the facts about the levy which have not yet been brought out in any of the speeches made. The sums assessed were Rs. 20,56,000. The charge for police Rs. 1,43,000 and the remainder for compensation. A portion of the assessment for compensation was on account of damage done to Municipal property which may presumably be left out of account, and the existing demand, apart from this item, stands at Rs. 18,62,000, of which Rs. 1,43,000 are for police and Rs. 17,15,000 are for compensation. Of course nobody has said anything about the charges for police, they are not referred to in the resolution, and it is not quite clear whether the resolution intended to cover charges for police as well as charges for compensation. Then let me explain further. The municipality were to recover the sum from the inhabitants by a house-to-house assessment and for this purpose approved the collection of money in this way, and, following a method suggested in another case by Mr. Andrews, the municipality while requesting the Governor to remit the amount decided in the alternative to accept the responsibility for collecting the indemnity by means of increasing the terminal tax and other methods. It was ultimately decided to take temporarily certain higher rates of terminal taxes and to impose higher rates on the sale of immovable property, for the purpose of meeting the cost for extra police and compensation within a period of five years. Then I should like the Council to know what happened next. Certain people, especially the Banks and Indian piece-goods merchants, who were afraid that they might not be able to meet their obligations in consequence of their heavy demands, began to press Government for very early payment. The claims of the Indian piece-goods merchants amounted to Rs. 8,36,000. This Government, in order to meet this demand for early settlement, proposed to the Government of India that it should pay off claims up to a maximum of Rs. 20 lakhs and recover the amounts from the municipality. The Government of India agreed that, if the Punjab Government is satisfied as to the legality and feasibility of recovery, it may advance up to Rs. 20 lakhs. Then the Advocate-General was consulted, and the

effect of his opinion was such as to justify this Government in assuming that the course which it proposed to follow was a legal one. Then a little later the municipality passed a resolution increasing the terminal tax. Then came the stage with which this Council is familiar. In addressing the Council on January the 8th, 1921, His Excellency the Governor said that 'the Amritsar Municipality have approached Government with a view to be relieved of its undertaking, and I have left the question over for your consideration. It will be for you to decide whether the provincial finances can, and should, bear the whole or part of this burden.' Well, gentlemen, the position which was produced by this announcement is that the matter was left to the Council, that is to say, I am not opposing the resolution or any of the amendments in particular, but I simply state the facts, and every official member of this Council will speak or vote as he chooses on this question. There is no question of Government opposing this resolution. At the same time there are certain matters which ought to be pointed out. The first is that the particular form of my friend Raja Narendra Nath's resolution suggests that the payment may be made from the accumulated balances. That statement from the financial point of view has no meaning. The money which is available for expenditure consists of the balances plus the income. Whether you take any particular item of expenditure out of the balances, or say that you take it out of the income makes no difference at all. It is a mere difference of words, having no significance in fact. I only wish to bring home to the Council the fact that, if it is intended that the Government should pay this sum of money, the sum has to be taken from the resources which would otherwise be available to the province. There is just one other technical point, and that is that His Majesty's Secretary of State will have to sanction the proposal. If the Council recommends that action be taken to ask that this amount be not collected from the Amritsar Municipality, it will be necessary for the Punjab Government to obtain the sanction of the Secretary of State. I am not going to delete or attempt to follow those members who have spoken on the

legal aspect of the case. This Council is not the place, in my opinion, for debating legal questions. Some of us have no doubt the necessary qualifications for that purpose, but many of us have not. These questions are for the Courts to decide. All that Government can say on the subject is that, having consulted the Advocate-General, they considered their action was legal. Of course the Courts are open to any one who thinks otherwise. At the end of Raja Narendra Nath's speech, I think he pointed out, and I have no doubt we all feel deep sympathy with the feelings which those words expressed, that those who were guilty in Amritsar of the actions which led to the levy of the compensation acted in a burst of extraordinary passion. He also said that he thought that, perhaps, that crisis might have been prevented if officials had exercised more tact. Well, Sir, I am not going to rake up unpleasant memories. I know well enough that the members of this Council share with me the deep regret that those actions in Amritsar which led to the imposition of these charges have aroused. Now speaking for officials I am an official—I do not claim a monopoly of wisdom for them. We are busy men, and sometimes our pre-occupations with affairs prevent us from seeing things which we ought to see. We are busy men; above all we are men—men with the faults of men and their liability to error. I ask people to turn from the past to the present. The existence of this Council, the great functions which it exercises, the tasks which it at this moment discharges, are proofs of a great change. If we officials have sat with our heads buried in our work when we should have opened our hearts and seen more clearly into yours; if we have been hasty; if we have been impatient; if we have struck when we should have soothed; these proceedings to-day are evidence that a new era has commenced."

**The Hon'ble the President.**—"Mr. Ganpat Rai, do I understand that you do not press your amendment?"

**Mr. Ganpat Rai.**—"I will move it now. My amendment, Sir, is based mainly on the words used by His Excellency the Governor in his speech of 8th January

1921, in this Council Chamber. The resolution, proposed by my friend, Raja Narendra Nath, said that the money advanced by Government to the Amritsar Municipality to meet the liabilities incurred on this account be debited to the accumulated balance of previous years in the provincial revenues.' My amendment is that the following words be substituted instead of these words 'and that the responsibility undertaken by the Amritsar Municipality be not enforced.' The resolution of Raja Narendra Nath, as I understand, is that this money was actually advanced to the municipality, and that the municipality paid the compensation to the claimants and others to whom this sum has been disbursed. As has been said by His Excellency the Governor in his speech I wish to allude also to one point of importance in this connexion. The sum of 19 lakhs has been imposed as an indemnity for losses and for payment for additional police after the disturbances. The Amritsar Municipality made itself morally responsible for the payment of the indemnity. On the strength of this undertaking the Government advanced 17 lakhs which has been distributed to those who suffered losses, etc. As I understand the speech—subject to correction—it is that this sum was never advanced to the Amritsar Municipality, and that is clear from the words of His Excellency the Governor. I have made enquiry and through the kindness of the Financial Secretary, I find that the money was paid by the District Magistrate direct to the claimants, and the municipality did not touch it at all. I do not know what undertaking was given, and therefore I brought this amendment because the facts, as stated in the resolution of Raja Narendra Nath do not correctly state the position. And if I am right—and I believe I am right—I go further and say that this responsibility undertaken by the Amritsar Municipality be not enforced. I have heard the Hon'ble the Finance Member and he has referred to the opinion of the Advocate-General. I wish we had seen the opinion of the Advocate-General before. With great respect for Advocate-Generals throughout this country—after all they are Advocates, may be Generals or Lieutenants—and therefore with due



deference to the learned Advocate-General, I say with strong emphasis—and I am ready to debate on this point, though I am a very poor lawyer—that I cannot accept the opinion of the Advocate-General, unless it is confirmed by the highest Court. Now when I turn to the Municipal Act which I have read for the last 28 years—I am now referring to the present Act of 1911.

“I find that the municipality had nothing to do with the question of indemnity. The municipalities in this Province had been created for the distinct purposes given in the Municipal Laws and their duties are defined in the Municipal Act. We find full details in the Punjab Municipal Act. I have read it 20 times since and I cannot find a word whereby a Municipality can ever undertake any such responsibility. But when was this responsibility undertaken. I do not want to touch the unhappy events of April 1919, but when the people of Amritsar (I do not wish to use any strong words) were not happy. The Municipal Committee have said in their resolutions, a copy of which has been circulated to all the members by the municipality, to the effect that the indemnity was unjust and should be withdrawn and that the realization of indemnity by this Committee is illegal. Now I should not waste the time of the Council by reading all the provisions of the Municipal Act in which the duties of the municipalities are laid down. Municipal Committee can spend money only on acts and things which are likely to promote the safety, health and welfare or the convenience of the inhabitants of the town and expenses it can incur with the sanction of the Local Government. Even this general clause does not bring the action of the Amritsar Municipality within their jurisdiction. With due deference to the Advocate-General I would say that the action of the Municipality of Amritsar in undertaking the responsibility was altogether illegal. The municipality was wrong. I move this amendment because the Amritsar Municipality could not undertake the responsibility because it was not undertaken in accordance with the provisions of the Municipal Act or any other law. The amount should be recover-

ed from those officers who made a grave blunder in paying it as an advance from Government funds before its actual recovery. After making these remarks I should say a few words on certain other matters. Some members have brought forward the argument that why should the zamindars be made to pay for the inhabitants of an urban area. When the foundation of this new Reforms Scheme, according to which the present Council has been constituted, was being laid down we saw that there was some mischief being done in dividing urban and rural areas. The creating of rural and urban constituencies and not permitting a candidate of urban area to stand for a rural constituency was mischievous and that mischief has borne out its first fruit to-day in the form of the speeches we have heard to-day. The result of these arguments in the Council will be to encourage non-co-operation. The reason given is, why should a zamindar who lives outside the urban area pay for the inhabitants of Amritsar. In early times it was very difficult for an agriculturist in times of scarcity and famine to pay even the land revenue, and who but the town sahukar helped the agriculturist. Now, can the Government say if it has any act or rule in which it is laid down that the income of each village and town should be spent for that village and town only and not for any other. If there was such a law or rule, then the argument would have been correct. The income-tax, excise-tax, land revenue and other taxes are collected by Government collectively and disbursed by them generally. The land revenue is recovered from the zamindars, but a large portion of it is spent on the improvement of towns, which benefit zamindars also. I as a rural member would ask why that money is being wasted on the advancement of urban towns and for the people, officials and non-officials, living in the urban areas, and not being spent for the use of the zamindars. The Government also takes income-tax, etc., from the sahukars of towns and they never raise a voice why their money has been spent on village sanitation. The mischief has been created in these reformed rules and this has given rise to that idea: otherwise I do not



understand why a brother agriculturist should not come forward and sympathise with his urban brother. It is said that Amritsar Town is responsible because its people have been found guilty by Martial Law Courts. In respect of Martial Law Courts I would say a few words. People had no confidence in them. I do not want to make any personal attacks, but I would only point out that Lala Harkishan Lal was sentenced to transportation for life and his property had been ordered to be confiscated. But now Lala Harkishan Lal holds the position of a Minister. That is the outcome of the justice of the Martial Law Courts, and therefore I say that the orders issued in those days were unjust and are not worthy of being enforced now."

**The Hon'ble the President.**—"Does any member wish to speak to the amendment moved by Mr. Ganpat Rai."

**Mr. Ganpat Rai.**—"I want to enquire if the discussion on the original resolution is closed."

**The Hon'ble the President.**—"No. Members can speak on the original resolution later."

**Diwan Bahadur Raja Narendra Nath.**—

"I want just to say a few words. I do not know if any of my words have misled Mr. Ganpat Rai to wrong inferences. I knew that the District Magistrate had assessed the indemnity and not the Municipal Committee. I am sorry if I have uttered some words which led Mr. Ganpat Rai to infer that. I am not prepared to accept the amendment because that leaves matters in the dark. I do not at all advocate that the money should be taken back from those to whom it has been paid, because it is an impossibility, nor that it should be taken from the officers who may be held to be responsible for the occurrences."

**The Hon'ble the President.**—"There is no such motion before the Council."

**Diwan Bahadur Raja Narendra Nath.**

"Therefore, it is that I am not prepared to accept the amendment. I think it is quite possible to have recourse to the device I have suggested in the resolution, and there is no necessity to put the amount on the current year."

**The Hon'ble the President.**—The motion before the Council is that the resolution of Diwan Bahadur Raja Narendra Nath be amended as follows:—

"That for words 'and that the money advanced by Government to the Amritsar Municipality to meet the liabilities incurred on this account be debited to the accumulated balance of previous years in the provincial revenues' the following be substituted 'and that responsibility undertaken by the Amritsar Municipality be not enforced'."

The motion was put to the Council, and lost.

**Rai Bahadur Lala Sewak Ram.**—"Sir, Raja Sahib and Mian Muhammad Shah Nawaz have ably put the law on the subject before this Council. There is nothing to add to it. Furthermore the explanation given in the letter of the Amritsar Bar Association fully explains the matter. So no time of the Council need be wasted in discussion of the law on the subject. Now the question is whether this sum is to be realized from the town of Amritsar. There is no doubt that the people of that place have already suffered a lot and no further burden should be put on their shoulders. I do not wish to go into the details of the painful episodes which form a dark chapter in the history of this province. Suffice it to say that the sooner this chapter is closed, the better. Government have chosen to pay this sum to various firms, etc. Government may now be requested to pay this sum from the provincial revenues. The Hon'ble the Finance Member has said that if this Council chooses to pay this sum from the provincial revenues, certain items will have to be omitted from the demands of other grants. Let it be so, or, as the Raja Sahib has said, let it be paid from the accumulated balances of the previous years. Those who had been found guilty had been punished by Courts of Law. Those who are not guilty are being asked to pay this sum. We, Sir, do not wish to be unjust. Looking at the general view of the people of this pro-

vince, the present day affairs, and the conciliatory policy of our kind-hearted Governor, it would be judicious on our part to pay this sum from the provincial revenues or as the Raja Sahib proposes.

"Some gentleman has said, why should we pay for the fault of others. Why should we call Amritsar people as others? They are our brothers, our kith and kin, and let us, as members of one joint family, share the burden of a member of such joint family. Some have suggested the sale of *nazul* or other lands. There is no necessity for this. Let the sum be paid from the provincial revenues."

**The Hon'ble the President.**—"Maulvi Muharram Ali, Chishti, has asked for leave to move the following amendment that the following words be added at the end of the resolution:—

"and the amount may subsequently be made up to such an extent as is possible by the sale of such *nazul* lands within the municipal limits of Amritsar as are owned by Government."

"The Standing Order on this point is No. 66. If notice of an amendment has not been given two clear days before the day on which the resolution is moved, any member may object to the moving of the amendment and such objection shall prevail, unless the President, in the exercise of his power to suspend this Standing Order, allows the amendment to be moved. Has any member an objection?"

**Mr. C. M. King.**—"I object to it under the rules."

**The Hon'ble the President.**—"I am not prepared to suspend the Standing Orders, and the objection prevails."

**Rai Sahib S. Harnam Singh.**—"I wish to move an amendment."

**The Hon'ble the President.**—"Rai Sahib S. Harnam Singh proposes to move an amendment of which notice has not been given. The amendment is to add the following words at the end:—

"at present and that the Government of India be asked to pay interest on the one crore of rupees, which was paid by the

Punjab Government to them some time ago at the rate of 6 per cent instead of 3½ per cent, and that the accumulated reserves be rebuilt from this sum."

"Does any member object to the admission of this amendment?"

Many voices—"Yes, I object."

**The Hon'ble the President.**—"The objection prevails. Now members will proceed to the discussion of the original resolution."

**Lala Atma Ram.**—"Sir, leaving aside the question of legality or illegality we have to see whether in view of the present state of affairs in the Punjab it is advisable to realise the indemnity or not. It is an undisputed fact that since Martial Law days there has been a great discontent all over the Province. Seeing bitterness all around him, His Royal Highness the Duke of Connaught has, at the inauguration ceremony of the Council of State and the Legislative Assembly, appealed to all British and Indians to bury, along with the dead past, the mistakes and misunderstandings of the past, to forgive where they have to forgive and to join hands and work together.

"If we care not to re-open the wounds that have been closed and to carry out the wish of His Royal Highness the Duke of Connaught we must without hesitation decide that the indemnity should be remitted. If the indemnity be collected it will exasperate the people among whom there is a great discontent.

"The Government in anticipation of the recovery of the indemnity by the Municipal Committee has certainly paid up Rs. 17 lakhs to the claimants. It is evident that if the indemnity be not collected we shall be transferring a burden on to the shoulders of the general body of tax-payers throughout the Province. But we must not at the same time forget that the question of indemnity is principally political and that its financial aspect is not its most important aspect.

"Keeping in view the present unprecedented political situation of the pro-

vince, I must say that the indemnity levied on the inhabitants of Amritsar should be remitted and should not be realized from the Amritsar Municipality."

**Chaudhri Muhammad Amin** spoke in Urdu, opposing the resolution.

**Mr. Manohar Lal.**—"Sir, I rise to support the resolution as moved by Raja Narendra Nath. It is for obvious reasons with a certain natural reluctance that I share in a discussion that brings into prominence the unfortunate days of Martial Law. But I think it is one's duty on the floor of the House to express a word of sympathy with the people of Amritsar who have suffered grievously and have been punished undeservedly. I think the issue before the Council to-day is a very simple one. Particular payments have as a matter of fact been made by the Government or on behalf of the Government by the District Magistrate. It is no longer possible for us to revoke those payments. In speaking about those payments it may be convenient to refer to the method in which the assessment was actually carried out and the manner in which the payment should be made, but I shall not address myself to that question. The simple issue as I see it now is this, that the municipality of Amritsar by a resolution which I shall now read to the Council with your permission undertook a particular responsibility. The resolution, Sir, of the Municipality of Amritsar runs in these terms:—"That the Committee requests the Government to excuse the city from the indemnity, but that if it must be paid they accept the responsibility for its collection by means of increasing the terminal tax and other methods, and they would like to be given five years for its realisation." That is the opinion of the Municipality of Amritsar as we know it through its accredited agents. Now it is perfectly clear that it ought not to be saddled with that responsibility. That being so, unless the Government forces the responsibility on this Municipality, it is thrown back really upon this position that it has through its agent—the District Magistrate—under the Police Act—whatever the legality of his action—to realise and collect certain funds from the

inhabitants of the town of Amritsar, in order that the Government may discharge certain obligations which it undertook to pass on to the municipality on its behalf. The simple issue then is this. Which is the easier and which is the more equitable line to take. Is it the easier position to take to-day that the District Magistrate should take upon himself that great odium of realising and collecting this assessment from house to house? The next question would be is it not the sounder, the easier and more equitable position that certain payments having been made by Government—if necessary I shall go into the question of the legality thereof in spite of the learned Advocate-General's opinion—that the payments actually having been made by Government, and the Government speaking in the name of the Province, for its people as a whole, is it not fair, is it not equitable, is not a simple dictate of justice, that the people as a whole for whom the Government speaks should take the onus upon themselves? I take it that, that in substance—though the exact method by which the mover of the resolution suggests the payment of the indemnity is a matter of small consequence—is Raja Sahib's motion to-day. The people of Amritsar being involved in this particular tax or levy the question that we must ask the Government—that we as a whole for whom the Government must speak—is must we take it by taxation or pay it out of revenue or pay it out of certain accumulated funds. Raja Sahib has indicated very clearly the funds out of which payment is to be made. The Hon'ble the Finance Member says that he has not expressed himself correctly, but the meaning is perfectly intelligible to all of us, and I have no hesitation in saying that the proper line that we as a whole must take is that we must meet these payments as a whole. Most of the members represent a limited commonwealth to which under the Reforms Act a certain privilege has been conferred, namely, that of managing our own affairs. The people of this commonwealth, of this Province must meet this payment as a whole. Sir, I do not wish to encroach upon the time of the House in regard to the legality of the question, particularly as the opinion of no

less a person than the Advocate-General has been placed before us. But because and the manner in which the position of a person like a lawyer, or the humble position of that of a member of this House, was challenged by a gentleman on the other side, it is said that in the absence of case law the only way in which you can decide a question like this is to travel down the marches of half a dozen or more centuries and look at the picture of England in the days of the Hundred. That is no proper way of interpreting the statute placed before us. I am afraid that the Police Act and its interpretation does not require from us any such journey in the realms of obscure history. The Act is a perfectly simple one and it speaks for itself. But in any case I shall ask this House not to be led into any such ancient historical parallels about which we know little, particularly as we do not wish to emulate what used to be done in the simple name of justice in the good old days of the British constitution.

" I just want to say one word with reference to a matter mentioned by a member of this House. It was said it would prejudice the claims of the people of Amritsar that having remained silent during all this time they have only now come forward to ask this House to forego a particular levy and represent strongly to the Government that this levy should not be imposed. And it was suggested that they had followed a wonderful and extraordinary course in appealing particularly to the Bar of Amritsar to ask this House to adopt the course which it is wished to adopt. Sir, I did not know when I came to this House until I had the privilege of learning it from my friend on the other side, that when the members of the Bar of Amritsar, or when any party of the

National Congress passes any particular resolution that it is not open to them, if in their opinion they consider that this particular levy is illegal, to place that point of view with all the strength at their command before every member of this House. And if the members of the Bar of Amritsar hold strong views in this matter, I do not see why they should not put their confidence in us. Sir, I do not wish to arouse any differences in this matter at all. It is a perfectly simple matter, and I do not think that there is any substantial difference in the views which have been placed before this House. There may be slight differences in details of expression. In all the history of the Province the happenings at Amritsar have formed a chapter which we all wish to see closed. Although differences in expressions of opinion have undoubtedly existed, after listening to the words used by member after member, I have not come across any real desire on the part of the members as a whole to shirk liability in regard to the levy. I do not think that we really wish that the people of Amritsar should bear the burden of this unfortunate levy on their own shoulders alone, and I for one support Raja Sahib's resolution very strongly. In conclusion I hope, Sir, that in this matter, after the policy foreshadowed so generously in the opening speech of His Excellency the Governor and the sentiments therein expressed (to which a just tribute has been paid), I hope that this Council will rise unanimously to support this resolution."

*Adjournment.*

The Council adjourned to 10-30 A.M., Friday, the 25th February 1921.

T. P. ELLIS,

*Secretary.*

## PUNJAB LEGISLATIVE COUNCIL.

*Friday, 25th February 1921.*

The Council met in the Council Chamber at half-past ten of the clock. The Hon'ble the President in the Chair.

### THE AMRITSAR INDEMNITY.

The Hon'ble the President read out the resolution of Diwan Bahadur Raja Narindra Nath which was under discussion on the previous day.

**Sardar Dasaundha Singh.**—The mover and some of the gentlemen who supported him have made out a very good case so far as the legal aspect of the question is concerned. But that aspect of the question, it seems to me, does not appeal to those members of this Council who have no legal training, because technicalities of law hardly appeal to a layman. But even on other grounds—on grounds of equity, justice and fairness—there is a very good case in favour of this resolution. So far as I could follow the discussion everybody who spoke on this motion seemed to be in favour of the remission of this indemnity, but unfortunately other considerations arose, for example, those who represent rural interests found some difficulty in supporting the resolution as it stands. I quite realise the position of my friends who represent rural interests. I myself am a representative of the rural people and I very well appreciate the difficulties that lie in their way, but those difficulties are not unsurmountable. I would like to refer here to certain ill-chosen references that my friend Mr. Ganpat Rai has made to the proverbial generosity of the village sahu-kars. Most of us know that there is hardly any love lost between the old village sahu-kars and the villagers: and all those who have any love for

the rural people can hardly appreciate the benevolence of such sahu-kars. Chaudhri Muhammad Amin has taken this reference seriously, but I do not think this was the intention of Mr. Ganpat Rai. I think that reference has in a way accentuated our difficulties. I think we should try to rise above these petty considerations. There will be a time, if such occasion arises, when the rural representatives shall be in a position to oppose the urban representatives if the occasion requires and if we can do so rightly and reasonably. But this is not such an occasion. Here there are much wider considerations which we have to look to and which we can hardly afford to overlook. First of all there is the wise and benevolent step taken by Government in this matter. His Excellency the Governor has very graciously and wisely left the whole thing to the Council to be decided. The Hon'ble the Finance Member too referred to it and said that there will be no official opposition to this motion. Now these are the considerations which we can hardly overlook. These things have made our position much more difficult, *i.e.*, the position of the Council. In face of all these it is very difficult for us to go against the resolution. I would ask my rural friends to realise the significance of all this, and above all I would ask them to grasp the real significance of yet wider issues. This question, in a way, is of provincial importance, but in another way it is a question of much wider significance. This question has been discussed in the

Press and on the public platform for more than a year, and now that the decision of it has been left to the Council, we should realise all that. This question has been discussed not only in this Council but in the whole of India, and they are all eagerly waiting for the decision of this question in the Council. Now if in the face of all this my rural friends want to take up a stand against this motion they should hesitate before taking this hazardous step. First of all I will ask them how far that decision will be justified. Supposing if my rural friends oppose this motion in that case this motion is bound to be defeated. They should realise the fact how far we shall be serving the interest of the rural people. In this respect I would ask you to refer to the remarks made by the Hon'ble the Finance Member. The Hon'ble the Finance Member said that if the Council decided to recommend Government to pay the Amritsar indemnity the following items will be omitted from the demands for other grants :—

"Under 5—Land Revenue—Rs. 15,000 for a scheme for the reclamation of the beds of sandy torrents, in order to prevent injury to agricultural land."

So far as the above item is concerned this will affect the rural interests.

"Under 8—Forest—Two lakhs for a scheme of forest exploitation, which is estimated to be profitable."

The above item does not in any way concern the rural people.

"Under 25—Jails—Rs. 85,000 for a scheme for improvement in the working of prisons."

That again does not concern the rural people.

"Under 32—Medical—Four lakhs for a Maternity Hospital."

Surely this hospital will be located in some big town and the rural people are not purely concerned.

"Under 33—Public Health—One lakh for grants for Sanitary Works, half a lakh for the preparation of maps of congested areas in certain towns."

This again is not a rural concern and I think these works will be set up purely for the benefit of urban areas.

"Two lakhs out of the annual contribution towards the cost of the Simla Improvement Scheme."

This has nothing to do with the rural people again.

"Under 34—Agriculture—Rs. 20,000 for increase in the Co-operative Societies establishment."

I quite admit they will be for the benefit of the rural people.

"Under head 41—Civil Works—Rs. 50,000 for the development of stone quarries."

This is for the benefit of the rural people only, Rs. 75,000 for land for the Larji Mandi road.

I do not know where this Larji Mandi is situated, but even if it is situated in the rural area, it will benefit the urban as well as the rural people.

"A lakh and-a-quarter for improvement to approaches of the new Telegraph Office at Lahore."

This again is purely an urban concern.

"One lakh for colony roads."

This will benefit the rural people.

"Under head 47—Miscellaneous—One lakh for revision of contract contingencies for all offices."

This again is not concerned with the rural people alone.

"Under Major and Minor Works—Rs. 75,000 for a Hostel for the Veterinary College."



This again is only partially a concern of the rural people.

"One lakh for the Junior Training College at Jullundur."

This again is only partially a concern of the rural people.

"One lakh for the extension of the buildings of the High Court."

No concern of rural people.

Thus I think I have shown it to you that if we take a stand against the resolution we shall be helping the rural people only to a very small extent—not more than two or three lakhs. Now would you think it advisable to take such a risky step at such a cheap price. It will be a dangerous step. Urban members should also look to the opinion of the public. These are changed times. These are not the old times when we could afford to ignore public opinion. I would appeal to members that they should not take such a risky step at such a cheap price. I would ask you to vote for this resolution in a body otherwise I do not think we shall be able to show our faces to the public outside. We should vote for this resolution that it may be carried.

**Mr. P. J. Fagan.**—Having listened to the greater part of this debate, the main feature which has impressed itself on me has been the absence from the speeches of the Hon'ble Mover and his supporters of arguments relevant to the fundamental issues. These issues involve no doubt, and I say it with regret and reluctance, painful elements which we would all like to avoid, but which, it seems to me, it behoves this Council to handle, and to handle manfully, though with all the tact, all the consideration, all the restraint, and all the moderation which is possible.

Another pregnant feature of the debate has been the discrepancy between the line of arguments taken

by the Hon'ble Mover and that adopted by his supporters. To take the latter first: It has been in the main an argument *ad misericordiam*, an argument aimed at our feelings of pity and sorrow for the wrong doer. Now, Sir, such feelings are right and praiseworthy and appropriate on the proper occasion, but to allow ourselves to be controlled and guided exclusively by such feelings on an occasion such as the present, what is it but a timid refusal to look facts in the face, painful facts though they are—an easy generosity which is apt to be liberal with the hard-earned money of other people?

I turn to the arguments of the Hon'ble Mover. In the first place, he addressed to the Council a legal argument. That has been more than adequately dealt with by the Hon'ble Sir John Maynard, and it is not for me to say more on that subject.

For the rest, the suggestion made by the Hon'ble Mover to the Council in the subsequent part of his speech amounted, as far as I understood, to this that the dark events which occurred at Amritsar were the outcome of misunderstandings between Government and the people engendered by want of tact and discretion on the part of the former. Sir, it is neither necessary nor fitting for me to enter upon a defence of the Punjab Government. I will content myself with this one remark, and I will press it on the careful attention of the Council, and that is that in the dark days of April 1919 the Punjab Government in the discharge of its fundamental responsibility for the preservation of law and order, the maintenance of peace and security, was faced with a movement of the most sinister and of the most menacing type.

But, Sir, even if we accept for the sake of argument, and for the sake

of argument only, the suggestion which, if I understood him rightly, the Hon'ble Mover put forward, does it constitute any palliation of the murder, the arson, the pillage, which disgraced Amritsar on that fatal day; is it a valid ground for regarding such acts as the undeserved misfortune of their perpetrators, and not as the outcome of anger and of passion. I would appeal to the members of the Council as gentlemen imbued with a sense of their new found responsibilities for political and social stability. Are the early days of the first session of the reformed Council to be signalized by the acceptance of the contention that the burden of compensation, rightfully due to the sufferers, is to be borne not by the guilty but by the province at large? Is the province to understand that its reformed Legislative Council is prepared to condone doings such as those of Amritsar? To lay the penalty due from the few on the shoulders of the many? To mulct its population for the commission of acts in which it had no part and which are hated and abhorred by the vast majority of it?

The financial results of the acceptance of this resolution were clearly indicated in the speech of the Hon'ble the Finance Member yesterday. Are the doings of Amritsar to deprive the women of the province of an institution destined to alleviate their sufferings? Are peasant colonists for the same reason to go without roads which they so much need? Is the beneficent work of co-operative societies to be similarly hampered? or is the provision of a suitable building for the highest Court of the Province to be arrested? And all this because of the misdoings of Amritsar? Considerations such as these the Council must carefully weigh if it is to arrive at a decision just to all the interests concerned and not merely agreeable to the demands of a sympathy misplaced and misnamed.

**Mr. Ganpat Rai.**—I want to say a word of personal explanation. I am not going to make a speech. It appears from the members' speeches yesterday and to-day that I have offended them. I am sure, Sir, that I have not uttered any such word. I am very sorry if I have inadvertently done so.

**Mr. E. Joseph.**—I had intended, Sir, when I heard the debate of yesterday to venture to speak to-day. But Mr. Fagan has traversed so much of the ground and done it so much better than I can hope to do, that I shall not detain the Council long. Though I am unfortunately an official I have from first to last had nothing whatever to do with the deplorable disturbances of 1919, and therefore I hope that what I wish to say may be taken as far as possible as the views of a private member of this Council. Nor have I discussed what I wish to say with any official, except in one particular in which I had to go to some one else for information. I cannot but share to a great extent in the sympathy that has been expressed with Amritsar, but in saying that I would limit myself to sympathy with those perfectly innocent people of Amritsar who have been implicated in the results of the disturbances. I feel no sympathy whatever with the actual malefactors, and I feel no sympathy whatever with the agitators behind them who were responsible by their inflammatory speeches, or their machinations—whatever you like to call it—who were responsible for misleading an ignorant, easily excitable population, with the result that so many innocent people have suffered. And I cannot but wish that more real sympathy had been shown to the original victims of the tragedy, and that the reprobation which has been so lavishly bestowed on what I may call the avenging forces of law and order

had been extended to those persons whose conduct necessitated the restoration of law and order. But it is no use for us now—I mean for the immediate purpose we have in hand—to go back over these events or to question how the disaster might have been averted. If your house is set on fire and you call in the fire engines, and the fire engines pump water into the house so fast and furiously that they ruin all your furniture, all your carpets, it is no use afterwards to discuss how many buckets full of water might have been sufficient to extinguish the conflagration. And I do not think it can be argued—as the Hon'ble Mover of the resolution, I think, expressed it yesterday—that it was an ordinary excitement. I think we must thankfully acknowledge the inaccuracy of that expression, and I think that a later expression which is hardly consistent with the first—the words he used were ‘open outburst’—more accurately describe the situation. Though we must inevitably trust the man on the spot to a very large extent, and must admit that he alone is capable of judging the degree of force which is necessary, we may conceivably have our own opinion that the man on the spot did unfortunately use more force than was actually necessary. That is a fact which, if we feel, we must deplore, as I certainly for one deplore; but to speak, as Chaudhri Muhammad Amin spoke yesterday, of this event as ‘an outrage unparalleled in the history of the civilized world,’ is the language of exaggeration which I think does no good whatever and which only tends to exacerbate feeling further and to make others, who would be prepared perhaps to feel more sympathy than they do, to withhold that sympathy. It tends to encourage in them a certain degree of stubborn resistance, and I think that we should serve our province better if we did not use language

which is so palpably inaccurate and if we were ready to let the past be past and to confine our attention more now to the practical question in issue. The practical question is simply this. Who is to pay? We must accept the legality of the action taken. We have the highest opinion on that subject which was quoted by Sir John Maynard yesterday, and he also showed us that the Amritsar Municipality itself consented to the method which was proposed for payment. I take it that the reason for the law which was read to us yesterday by the mover of the resolution is that in a punishment of this kind, in the payment of compensation, you select the smallest area which is likely to include all your offenders, and, at the same time, you take the largest area which is likely to result in an effective communal feeling of responsibility and so act as a deterrent punishment. If you take an area something smaller than Amritsar—I admit that if you take the area of Amritsar you unfortunately are punishing a large number of innocent people—but if you take something smaller than Amritsar, you let free very probably a great number of offenders. Many members of the Council would like to shift the burden to the province. If you shift it to a large area like that you are certainly not effecting any kind of communal responsibility, and in place of that the offenders will have the satisfaction of knowing that the proportion they will have to pay of the damage done is extraordinarily small if the province as a whole bears it. There are some of us who would like to go much further and make the whole of India bear it. They suggest that we ask the Government of India to pay us 6 per cent on the loan we made them instead of 8½ per cent, and that the other 2½ per cent should be employed to recompense the sufferers for the damage done. Whatever we may think of

legislators who sit in another place I do not think they are going to accept a proposal of that sort and shift the burden to India generally. Nor can it be thought that we have any kind of separate treasury from which to pay this. If we pay it from the provincial resources, we are paying a large sum which might be spent elsewhere. If you sell the *mazul* land of Amritsar you are not selling the property of the people of Amritsar, you are selling your own property, the property of the whole province, and you are to that degree limited to the amount of money which you can spend elsewhere. I know it is open to the province to say they will share the burden with Amritsar. They must think both of the result of this in the way I have suggested just now, that you will not effect a feeling of communal responsibility. You must also think as Sir John Maynard told us and as Mr. Fagan so eloquently said just now, you must think of the various works which you will not be able to carry out, and I do not wish in any way to attempt to divide the urban and the rural interest. As Mr. King pointed out, many of these works are of very great and urgent necessity and of very great benefit to all parts of the province. Are we to forego these benefits for the sake of the limited population of Amritsar which includes those who are responsible? There is only one point more that I should like to suggest. I believe it was stated in the papers the other day that the Legislative Assembly had passed a resolution that the Government of India should be urged to press upon the Punjab Government the payment of compensation to the Indian victims in Amritsar of the firing on the same scale at which European victims were compensated. Supposing for one moment we take the number 500—I do not know what the figures are—supposing you can take 500 people, and supposing they

are to receive—or their heirs are to receive—a pension, say, of Rs. 20 a month each (you can hardly give less), there is an expenditure for you of Rs. 10,000 a month, or an expenditure of Rs. 1,20,000 a year. And if you capitalize that for 20 years there is a supplementary Bill for you of 24 lakhs of rupees. Now if the Legislative Assembly does press the Government of India and the Government of India does press the Punjab Government—

**The Hon'ble the President.**—I would point out that there is no question of compensation. The resolution does not refer to any matter of that kind.

**Mr. E. Joseph,** continuing.—I was going to say, if that is so you will then, the province will then, pay. And you must before you accept the present resolution think whether you should pay this bill of 17 lakhs, or whatever the figure is. You should consider also whether the province is also going to pay the 24 lakhs of rupees which I have suggested just now.

*Sardar Sampat Singh*

*Rai Bahadur Rishidhar Sarup Singh.*

Sir, I rise to give my full support to the resolution which has been so ably moved by Diwan Bahadur Raja Narindra Nath Sahib. I am not a lawyer myself, but the arguments based on sections of the Police Act, which have been advanced by the mover of the resolution and Mian Shah Nawaz, have impressed me very much, and it appears that the indemnity could not be legally imposed on the city of Amritsar on account of disturbances of the 10th April 1919, nor could the municipality be asked or undertake to realise the same.

But it is not on this legal ground alone that I support the resolution before the Council. It is now a settled fact established beyond the possibility of a doubt, that the Government as well as the mob, which, it must also be admitted, was composed at Amritsar

of most of the irresponsible section of the citizens, have been guilty of various acts of omission and commission during the dark days of 1919, and it does not appear equitable to punish one party, namely, the city of Amritsar, including as it does a large majority of innocent, peaceful and law-abiding people, while the other party, namely, the officers of Government, who have been no less guilty, should be fully indemnified. We have been appealed to by His Imperial Majesty the King-Emperor, in the messages he has sent to us, to forgive and forget past delinquencies, and to start a fresh life, without any contaminations from the past. Can we do this, while we impose and realise a heavy fine of over 17 lakhs from one city. It will amount to a direct breach of the message of good will which has been brought to us by His Royal Highness the Duke of Connaught and should be avoided by all means. I do not personally wish even to raise the questions as to why extravagantly high amounts of compensation were at all paid to men of European birth for such inconveniences as interruption of work, shock received mentally on account of news of the disturbances, and the like, while very little was attempted to be paid to individual Indians for much more serious injuries, for that would open up old sores. What we do want is to apply a healing balm, and this can only be done if we unhesitatingly and unanimously pass the resolution which is before us and Government accept it. I represent a rural constituency, but I cannot agree with those of my friends in this Council who have attempted to introduce into this discussion the irrelevant differences between urban and rural interests. Can it be said, or does the past history show, that urban disaffection has no influence whatsoever in the rural areas? Is it not a fact that rural areas suffered equally with, and in some respects

more than, urban people, during the Martial Law administration? I would therefore earnestly appeal to my brother-councillors not to accentuate differences and to pass a unanimous vote in favour of the resolution. We should behave with dignity and avoid petty feelings and this is what benefits the occasion.

With these words I beg to support the resolution and hope that the Council will pass it.

Chaudhri Bans Gopal spoke in Urdu in support of the resolution. He strongly criticised the attempts at a division of the Council into rural and urban groups. He recited the story of a zamindar to show the suicidal folly of any such attempt. There was once a zamindar, he said, who had sowed a crop of sugarcane. When the crop was ready for the sickle, there appeared on the scene a barber, a *bania* and a Brahman, all of whom wanted to rob the cultivator of the fruits of his labours. The zamindar could not fight all the three together. He, therefore, resolved to accomplish by strategy what he could not accomplish by sheer strength. He told the Brahman and the *bania* that he could understand their claims, as the one was his spiritual guide and the other helped him to tide over his pecuniary difficulties, and they were quite welcome to an ample share of his crops; but he could not understand the claim of the meddlesome barber. On hearing this the Brahman and the *bania* pounced upon the poor barber and bound him to a tree. After this the zamindar took the Brahman aside and told him that as his spiritual teacher and religious preceptor, he could do whatever he liked with the crop; but he would not allow the *bania* who had grown rich through his cupidity at the expense of the whole village. The Brahman was taken in, and joined with the zamindar in fighting against the *bania* and making him helpless. After



this the zamindar had only the Brahman to cope with and easily vanquished him. The moral of the story, said the speaker, was clear, which both the rural and the urban members should take to heart.

The speaker said that he himself was the representative of a rural constituency, and when rural interests were at stake he would certainly take up cudgels on behalf of the rural masses, but that did not mean that there should be two parties in the Council working against each other. He put in a strong plea for unity; and whole-heartedly supported the resolution.

**Malik Feroz Khan Nun.**—Sir, before I start saying anything on the subject of this indemnity, I should like to point out one thing, and it is this that unfortunately a great deal has been said by many of the members either on behalf of the rural or on behalf of the urban constituencies which they represent. We, Sir, as members of this Council, are here to protect the interests of all and not of any particular community or village. We are Punjabis whether we live in the cities or whether we live in the villages. We are sons of the soil, and with that basis I wish to start on what I have to say. You will understand, Sir, that this question of indemnity was rather a difficult one, and that is the reason why His Excellency the Governor, according to his usual policy of deciding matters according to the wishes of the public, liked us to decide. It is a test for the common sense and the readiness of this Council to take up matters; and our decision on this point will show to the public how we are acquitting ourselves of the responsibilities laid on us. What are the things, and how we safeguard their interests. As far as I can judge from the speeches of the Hon'ble Mover and his supporters, I could see only one point and that was this, that the

people of Amritsar committed these sins, but because it was not a proclaimed area at the time, therefore they should not be made to bear the burden of their own acts. Well, this is not a Law Court, but this is a Court of Legislature, and if it appears to the Council that there is really anything to support, then we should support the mover whole-heartedly. But as far as I can see, the only argument in this matter is that the people of Amritsar committed those depredations, and they were punished heavily, rather too heavily. I agree with him that we ought to show our sympathy to the people of Amritsar, but at the same time we should have liked to have a lot of information on this point, because whatever we have got on the subject, we have got from the lips of the Hon'ble Sir John Maynard and not from the Hon'ble Mover who has only dealt with the legal aspect of the case. The facts are these: a lot of damage was done, damage to the extent of about 17 or 18 lakhs, by the people of Amritsar; that indemnity was to a great extent paid, and now the Hon'ble Mover wishes this Council to pay this amount from the provincial revenues. We would have liked to have had some method suggested to us by the Hon'ble Mover by which plans could be worked out. He ought to have told us as to how much of this indemnity has been paid already by the Amritsar people. We would also like to know as to how much had been collected by the municipal committee by way of terminal tax, because that would also go to liquidate this debt. We would also have liked to hear from the Hon'ble Mover all that which would have led us to come to a decision; and I still would appeal to him to withdraw this resolution at this moment, and let us appoint a committee to go into this question thoroughly and properly and then suggest some means to the public.



So it will be very dangerous to exhaust public funds. My suggestion is that the Hon'ble Mover should devise a plan by which the whole of this amount will not fall on the ordinary tax-payer. The ordinary tax-payer who throughout the hot weather goes without a turban, without a shirt, without any shoe, and out of the few rupees which have been earned by him during the season, a part has gone to swell the treasury receipts. I say that that money should not be spent as lavishly as has been suggested by the Hon'ble Mover of the resolution. He wants to pay the whole of this amount without any distinction, without any principle as to the rights or wrongs of the case, without any decision as to what ought to be paid to the public, how much sympathy should be shown to the people of Amritsar. What about the people of Gujranwala, what about the people of Kasur, Wazirabad, and Gujrat, what about all the other people who suffered during the disturbances? What you are going to do about them. Are you not going to meet their liabilities? If you are going to do something for Amritsar, the people of other places are also deserving of some consideration. Moreover, it is the question of Amritsar that has brought the whole of this question before the House, but what about the people who suffered in the recruiting, what about the people of Lak and Bahik Lurka? I am speaking of my own Shahpur District....

**Sardar Dasauandha Singh.**—I rise to a point of order. I do not think my friend is entitled to refer to these various matters.

**Malik Feroz Khan,** continuing.—I wish to point out that I am not referring to them as recruiting affairs, but I wish to say to the Council that, if we are going to do something for

the people of Amritsar, other people in the province are equally entitled, and should be equally benefited out of the public treasury. The innocent people who were challaned and whose property was confiscated, they should be compensated. If you establish a principle that the public treasury should refund the money to these people, then I say, gentlemen, that you are embarking on a very dangerous policy which you will not be able to continue.

I finally appeal to the Hon'ble Mover of the resolution to withdraw his resolution and come forward with a plan which may be met easily and which will not ruin the public fund. Everybody will then try and help the people of Amritsar to an extent which is possible and allowable from public funds. Are you going to practice economy in your future career? In one sitting you are going to spend 17 lakhs of rupees. What consideration you have given to the debate? You people have come to this Council, within two days you want....

**The Hon'ble the President.**—The Hon'ble Member must address the chair and not the members.

**Malik Feroz Khan.**—I say, Sir, that it is impossible to decide this question on the material which has been placed before the members of the House. They have not had time to consider the matter and they have not sufficient information on the point, and I think it would be advisable for the Hon'ble Mover to withdraw the resolution at this stage.

**Rai Sahib Lala Thakur Das** spoke in Urdu in support of the resolution and strongly disapproved of the attempt to bring in rural and urban distinctions in a debate on such a question. Such distinctions, he said, were highly antagonistic to political progress.

**Dr. C. A. Owen.**—I beg, Sir, to support the mover of this resolution. We have heard the reasons for and against it. The reasons against it are strong and reasonable, and the financial burden put on the resources of this Province will be grievous, and there is no doubt that the punishment should fit the crime. But it seems to me that it is quite wrong to hold the municipal committee responsible for gathering in this fine. I have been a member of the municipal committee of Lahore for many years, for three years President of the municipal committee of Patiala, and I have yet to learn that it is the special province of a municipal committee to get in fines. While not condoning the deplorable and unfortunate circumstances attending the riots and subsequent steps taken to stop them at Amritsar, I hold that the people were not solely to blame, and that there were a good many of the general population of the Province there at that period, and they should equitably pay their share. I have a strong conviction that the present opportunity is pregnant with great results to the peace and harmony of this Province, out of all proportion to the sum we are ready to forego. I feel that if this act of grace in remitting this fine is made, that our work as legislators and the subsequent proceedings of this Council will be much smoothed.

**Sardar Kartar Singh.**—There is no doubt that loss of life and property did take place at Amritsar. The perpetrators of the crime have been found guilty and punished accordingly. The actual culprits could legally have been made liable to compensate the sufferers. But it is very unjust and unfair to make innocent people pay for the damage done by few wrong-doers. Compared with the total population of Amritsar the wrong-doers were very few, because one person has committed an offence his innocent

brothers could not be made to suffer for his folly. Amritsar was proclaimed to be a disturbed area on 18th April 1919. But the disturbances and damage to property had actually taken place on 10th of April 1919. So legally the inhabitants of Amritsar cannot be made liable to indemnity for the loss that took place on 10th April 1919. The assessment of compensation by the District Magistrate of Amritsar was not warranted by law. No doubt the municipality of Amritsar did undertake to pay the indemnity, willingly or unwillingly, but the undertaking of the committee was *ultra vires* and not binding. So now a queer position has been created by hasty payment of compensation to the victims of mob violence. But some one is to suffer for the mistake. There are only two alternatives, i.e., either to leave Amritsar to bear the burden, which will neither be just nor humane, or to share the burden.

It seems to me that most of the members don't object to the remission of Amritsar indemnity, but they do not like this sum to be paid out of the Provincial purse on the ground that rural interests should not be made to suffer. It is our duty to sympathise with Amritsar people who have already suffered much. It is difficult for Amritsar alone to pay the indemnity, but there will be no difficulty if the whole province were to bear the burden. The rural interests would not suffer much even if Government were to pay the Amritsar indemnity as has been very ably pointed out by my learned friend Sardar Dasaundha Singh. With these remarks I heartily support the resolution moved by Hon'ble Dewan Bahadur Raja Narindra Nath.

**Mr. Nawab Dila Murad.**—In supporting the resolution so ably moved by Dewan Bahadur Raja Narindra Nath I have only to add a few words. Both the mover and other speakers

have pointed out the legal and political aspect of the question. I have just to draw attention that the imposition of indemnity tax on the inhabitants of Amritsar will be wrong from the moral point of view. This imposition of the tax will be only a living torture to the inhabitants of the town. They will be conscious of the humiliation they have undergone during those Martial Law times. So it will be better that those past days should be hushed up and all those unpleasant memories should be forgotten. Therefore we should try to forgive and forget. I, therefore, must say that we should not impose this indemnity on the inhabitants of Amritsar.

**Captain Sardar Gopal Singh.**—Sir, there have been so many learned and lengthy speeches on this most difficult question that it is difficult for me to say at length. I do not want to repeat what has been said. Now the issue is clear. If we wish to show extra favour to our Amritsar brethren, with whom I have great sympathy, we have to starve some of the useful departments. If this debate had taken place before the presentation of the Budget, perhaps we would have thought of one side only and that is to show practical sympathy with the Amritsar townspeople. But now after listening to the Hon'ble Finance Member yesterday as how money was to be found we can only earn this gratitude of Amritsar by creating famine in some of the most useful departments. We may remove the heartburning of the Amritsar citizens, but we will create the same heartburning among zamindar population, whom we will make to take this burden on their shoulders. Amritsar people have suffered much, but there are others, I mean the rural population, who have suffered much and suffered long. I would not have dared to bring this point in, but my friend Mr. Ganpat Rai, although he is a repre-

sentative of the rural people, has taunted them openly yesterday. The zamindar members are alive to this and are not going to be rebuked like this. Mr. Muhammad Amin has ably exposed the urban leaders, and I quite agree with him when he says that time has come when we should not fear these rebukes. But I wish we may refrain from such practice and such may not happen again. We are unable to pay this amount out of the Provincial revenues. It was never meant that the Provincial revenues should pay it; it is a question whether it will be a justification that the Province should pay or not. The Amritsar Municipality had better not consented to pay this sum, but when they made a promise to pay it they should fulfil their promise, and arrange to pay through any sources or by selling the "Nazul" land if they can do so. The Government of India may be requested to pay it from the Income-Tax department.

The zamindars may not be made to bear this burden as it is neither fair nor just to make A pay for B. If this principle is adopted it will lead to open the similar questions re Gujrat and Wazirabad and such like other places. I do not know whether any district board of his own accord has applied to take this burden on the people of the district. The representatives of the rural classes will not be justified to give their consent without the approval of those whom they represent. I would like to inform those who did not know that the rural representatives though in minority in old Councils had raised their voice for the improvements of the village sanitations, etc. I also want to explain that it is not a matter of creating any sort of split among the urban and rural people, as my learned friend has thought, but it is a matter of principle and justice alone. My friend Mr. Ganpat Rai has already admitted that there is a great demand of the

village sanitation and for that we do want money.

Of course a misfortune has come upon Amritsar, but we, their neighbours, are too poor to take their burden on shoulders. I therefore oppose the motion in its present form with great regret.

**Khan Bahadur Diwan Abdul Hamid.**—With your permission, Sir, I should like to say a few words on this resolution. I am afraid I am going to speak rather late in this Council, but as the matter is of very great importance, I propose to say a few words, having had some personal experience of the effect of these disturbances in the Punjab. It seems to me that the speeches in this Council, particularly from the non-official members, have drifted into two distinct groups. One group, the supporters of the resolution, have based their arguments largely on two grounds—the legal as well as what we might call sentimental grounds. The opposers of the resolution have, it seems to me, expressed their unwillingness to be a party to the proposal to saddle the Provincial revenues—the Provincial treasury—with the Amritsar indemnity. The legal aspect of this question is, it seems to me, ruled out by the fact, as the Hon'ble the Finance Member told us yesterday, that the leading legal authority has pronounced in favour of the legality of the indemnity, and as it is declared that the imposition of the indemnity was justified, I think we shall be placing ourselves in a very awkward position if we dispute that authority.

Well, then there remains the sentimental aspect. I have very great respect for that aspect myself. The sentimental aspect is an aspect that ought not to be lightly ignored, but it seems to me that we in this Council have gathered here as business men to deal with the business of a province. Therefore, if we confine our attention

exclusively to the sentimental aspect of the question, we will, I am afraid, be completely disregarding the business aspect of the matter and will be exposing ourselves to the criticism of the outside public that we were dominated more by our hearts than by our heads. Well, that is the sort of reflection which any one should regret.

Then there is another aspect which the rural members have advanced, and that is this that it would not be right that the Provincial revenues be saddled with the amount of this indemnity because they think that the people of Amritsar or certain section of the people of Amritsar committed certain acts, and, therefore, it is no reason why the people of Punjab generally should bear the burden for the crimes committed by a particular section of a particular place. As I said in the beginning of my speech, the sentimental aspect is not an aspect which could be lightly disregarded, but in the course of their speeches, it seems to me that there is one point that received very little attention and that point is this that it was suggested, perhaps some of the members of this Council will remember, in certain quarters before this Council came into existence, that the Government by raising the salaries of their establishments were really creating a situation which would render it very difficult for the new ministers to administer their departments in an efficient and progressive manner, and that they were trying to deprive them of certain portions of their resources at their disposal, or which could be at their disposal, for making effective improvements in the sphere of the Transferred Departments which were in their charge. Well, I am afraid that if we subscribe to the policy embodied in the resolution, we shall be in a way subscribing to that view. We have seen the Hon'ble the Finance Member in the course of his speech yesterday told us about the

various items that will have to be cut out of the budget if we decided that the indemnity should be borne by the Provincial revenues. There are certain items which are really of great importance. If we agreed to this policy, then I am afraid we shall have a bad start. We shall be in the position that either the ministers will resort to taxation—additional taxation—for carrying out the reforms or they will have to sit tight, and the improvements will have to be dropped. If they resort to taxation, they would make themselves very unpopular, and if they don't do this, they shall have to sit tight, and the reforms will not be carried, which also will make them unpopular—extremely unpopular. I think it would be a very bad beginning for the new Government that is now starting its work. At the same time, I think that we realize and feel that a very unpleasant and sore situation has been created in Amritsar. We as legislators must devise some means by which first of all the question of indemnity should be settled in such a way that as far as possible the improvements for which provision is made in the financial statement should be carried out in the course of the year. I would like to move an amendment. . . . .

**The Hon'ble the President.**—That is out of order.

**Khan Bahadur Diwan Abdul Hamid.**—I know I am late and I cannot move an amendment at this stage. I therefore support my friend Malik Firoz Khan Noon that it would be better if some sort of committee be appointed to settle the matter in such a way as to relieve the city of Amritsar as far as possible and at the same time there may not be the necessity to cripple down certain urgent reforms for which provisions exist in the financial statement.

**Mian Bell Ram** spoke in Urdu and strongly supported the resolution. He

said that the revenue of the province was neither rural nor urban, but belonged to the whole province. He quoted from the speech of the Hon'ble Sir John Maynard and, after discussing each item one by one, said that the way in which the indemnity was proposed to be debited to the Provincial revenue was not at all prejudicial to rural interests.

He said that by rejecting the resolution the Council would be reviving the bitter memories of the Martial Law days and strengthening the hands of those who were out to paralyse the Government by non-co-operation.

**Diwan Bahadur Raja Narendra Nath.**—At this stage I would ask for the closure of the debate. I think a great deal has been said by the speakers—quite sufficient to show the sense of the Council. I have nothing further to say in reply to any of the speakers.

**The Hon'ble the President.**—Has the Hon'ble Finance Member any reply to make?

**The Hon'ble Sir John Maynard.**—I have nothing further to say.

The motion that "the question be now put" was put and carried.

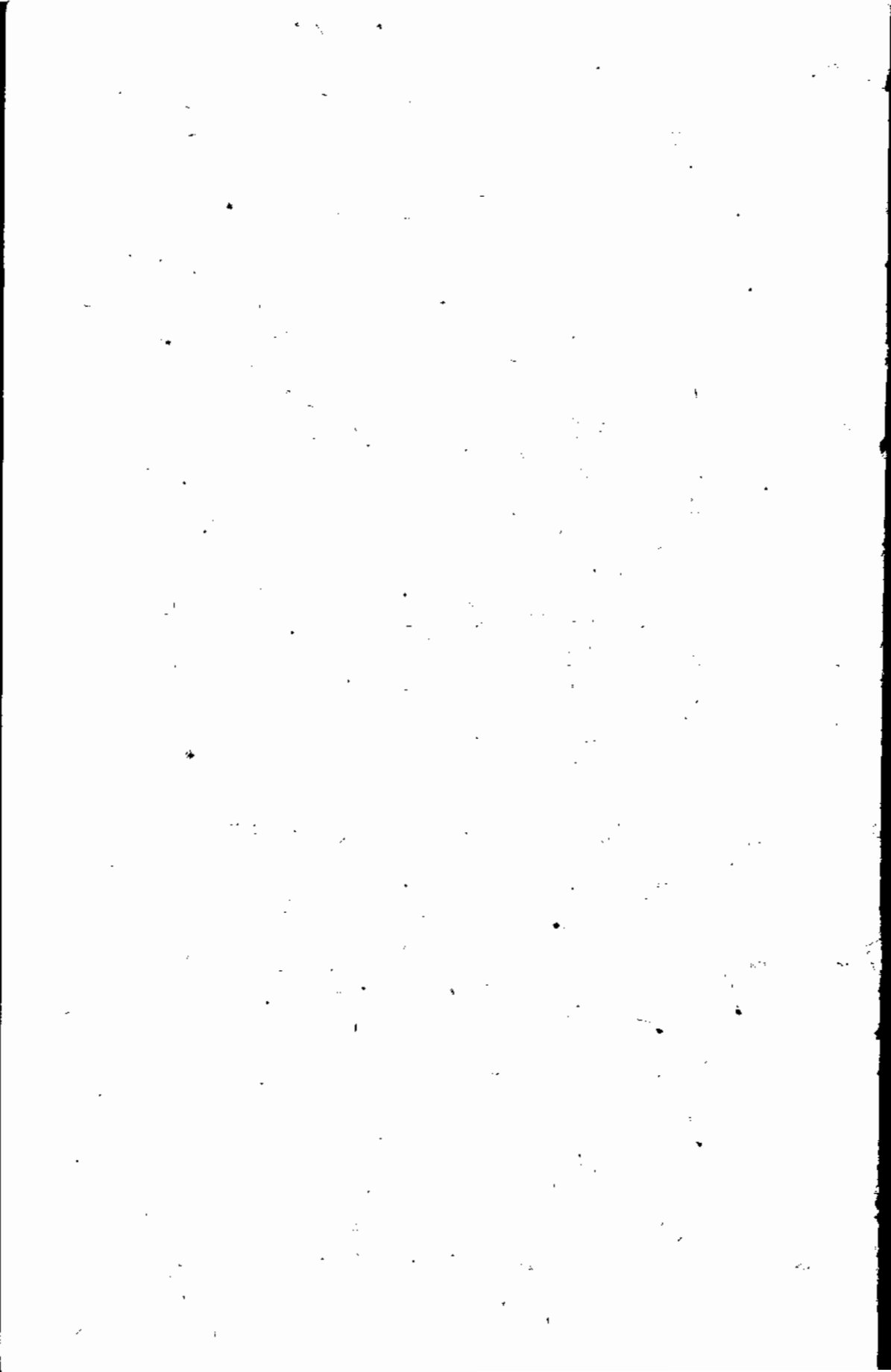
The resolution was then put and the Council divided with the following results:—

For the resolution	56
Against the resolution	18
Majority for	48

The tellers were: Malik Firoz Khan and Mian Ahmad Yar Khan Daulatana.

**The Hon'ble the President.**—I declare the resolution carried by a majority of 48 votes.

The Council adjourned till 10.30 A.M. on Monday, the 28th February 1921.





## PUNJAB LEGISLATIVE COUNCIL.

*Monday, 28th February 1921.*

The Council met in the Council Chamber at half-past ten of the clock. The Hon'ble the President in the Chair.

### DEPUTY PRESIDENT.

The Hon'ble the President.—I have pleasure in informing Members that His Excellency the Governor has approved the election of Sardar Bahadur Sardar Mehtab Singh as Deputy President of this Council.

### SECRETARYSHIP OF COUNCIL.

I have also to inform the Council that Mr. Ellis has found it impossible to carry on the work which now falls on the Secretary of the Council in addition to his duties as Legal Remembrancer. He has accordingly resigned his Secretaryship, and His Excellency the Governor has accepted his resignation.

With His Excellency's approval, I have asked Mian Haq Nawaz, Barrister-at-Law, to perform for the time being the duties of Secretary.

### SEATING ARRANGEMENTS.

I have also to inform the Council that, after discussion with the Members who came to the Council Chamber on Saturday, I have decided to make no general change in the seating arrangements. But where two or more Members mutually agree on a change of seats, and notify the Secretary accordingly, I shall readily approve the exchange. I ask Members not to exchange seats until the transaction has been registered. For the purpose of giving out agenda and other papers it is necessary that the office should know where each Member sits.

### QUESTIONS AND ANSWERS.

#### ACTIVITIES OF POLITICAL AGITATORS.

81. Pandit Daulat Ram, Kalla.—Is the Government aware that within the last six months clever speeches have been made in the Punjab by political agitators to cause discontentment among the police and to dissuade this loyal force from doing their duty? If so, has the Government taken any action against this edge of the wedge?

The Hon'ble Sir John Maynard.—The answer to the first part of the question is in the affirmative.

As regards the second part, no action has been taken as the Government has no reason to distrust the loyalty and steadfastness of the police force whose grievances in the matter of pay and allowances have been recently removed.

#### NON CO-OPERATION.

82. Pandit Daulat Ram, Kalla.—To what extent has the non-co-operation movement made progress in the Punjab?

The Hon'ble Sir John Maynard.—The extent to which the non-co-operation movement has made progress in the Punjab is differently estimated by different observers. Out of a total of 2,328 legal practitioners, 17 have, it is understood, abandoned their practice, but without intimating to the High Court the surrender of their privilege as practitioners. It is understood that three schools have expressed a desire that they should no

longer be recognised by the Punjab University. No college has applied to be disaffiliated from that institution. There is no falling off in the supply of recruits for the Army or the Police.

63. Pandit Daulat Ram, Kalla.—What steps has the Government taken to counteract the effect in the Punjab of non-co-operation movement?

The Hon'ble Sir John Maynard.—Government is convinced that no measure is so well-calculated to counteract the effect of the non-co-operation movement as the daily evidence which the proceedings of this Council and the work of the reformed administration will furnish of the determination of Government to give to the representatives of the people of the Punjab the power of controlling their own affairs in co-operation with itself.

#### INFLAMMATORY SPEECHES.

64. Pandit Daulat Ram, Kalla.—Have any speeches been delivered in the Punjab within the last six months to advise the people to refuse to pay taxes and revenue? If so, does the Government recognise the danger ensuing from such speeches?

The Hon'ble Sir John Maynard.—Some speeches of the kind referred to have been delivered in the Punjab during the last six months. The answer to the second part of the question is, Yes.

#### COLLEGE STUDENTS AS POLITICIANS.

65. Pandit Daulat Ram, Kalla.—Is the Government aware that pupils of colleges are being converted into itinerant teachers of politics? If so, does the Government realise the consequences which the speeches of these inexperienced politicians will produce in the rural areas?

The Hon'ble Sir John Maynard.—The reply to both questions is in the affirmative.

#### STUDENTS AND NON-CO-OPERATION.

66. Pandit Daulat Ram, Kalla.—Will the Government be pleased to ask the Deputy Commissioners in the Punjab to hold in their respective districts a conference of the parents of the college students with a view to discuss the non-co-operation attack on the colleges?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—Government has not taken this action and has not been moved to do so. If the parents of any district desire such a conference, they are at liberty to approach the Deputy Commissioner in the matter?

#### CLUBS FOR EUROPEANS AND INDIANS.

67. Pandit Daulat Ram, Kalla.—With a view to the promotion of social intercourse and cordial relations between the Europeans and Indians in the Punjab, will the Government consider the desirability of asking the local bodies of the localities where there is a considerable number of Europeans to undertake to start clubs open to members of both the communities and to subsidise such clubs from Provincial revenues where necessary?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—Government does not consider the establishment of clubs for social intercourse of Europeans and Indians is a charge which can under the existing law be properly undertaken by local bodies and is therefore not prepared to bring the suggestion to their notice. It would, however, welcome the formation of such clubs, and where the promotion of any such club can show that they are proceeding on sound lines would be willing to consider reasonable requests for assistance, by the lease of land or otherwise, towards the initial expense of its foundation.

#### INDIAN ARMS ACT AND POLICE OFFICIALS.

68. Pandit Daulat Ram, Kalla.—Will the Government be pleased to take steps to get the Magistrates and police officials (above the rank of a head constable)

exempted (under the Arms Act) from getting a license for keeping arms?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—All public servants are already exempted from the operations of the Indian Arms Act in regard to taking out licenses for arms borne or possessed in the course of duty under article 1 (b) of the Arms Act, and the Government of India have expressly stated, in their letter No. 1246, dated the 16th October 1919, that it is not the intention of Government that licenses should be taken out to cover the carrying or possession of arms by officers of Government as part of their equipment, or for their protection in the exercise of their duty, for example, revolvers in the case of police officers and arms supplied by Government to subordinates of the Police Department.

As regards Magistrates, a recommendation has been made to the Government of India that certain persons should be allowed to take out a license without fee for a revolver; but it is not the intention of Government to recommend that these persons should be allowed the privilege of keeping arms without a license.

### POLICE APPOINTMENTS.

**69. Pandit Daulat Ram, Kalla.**—How many M. A.'s and how many B. A.'s are in the Police Department?

**The Hon'ble Sir John Maynard.**—There are 5 M. A.'s and 40 B. A.'s serving in the Police Department in the Punjab, in the gazetted and non-gazetted ranks.

**70. Pandit Daulat Ram, Kalla.**—Will the Government consider the claims of the M. A.'s and B. A.'s in the Police Department, if otherwise efficient, for appointments as Deputy Superintendents of Police and Assistant Superintendents of Police?

**The Hon'ble Sir John Maynard.**—Promotion to the rank of Deputy Superintendent of Police is made by selection. In making selections the educational qualifications of an officer are fully considered.

Appointments to the rank of Assistant Superintendent of Police are made by the Government of India. The revised rules governing such appointments are under the consideration of that Government.

### JUVENILE SMOKING ACT.

**71. Pandit Daulat Ram, Kalla.**—Will the Government be pleased to state the number of cases instituted in the Punjab Courts in the year 1920 under the Juvenile Smoking Act?

**The Hon'ble Sir John Maynard.**—The number of cases instituted in the Punjab Courts in the year 1920 under the Juvenile Smoking Act is 2.

### IMPROVEMENT OF AGRICULTURE.

**72. Rao Bahadur Chaudhri Lal Chand.**—Will the Government be pleased to state for the information of this Council—

(a) What amount has been spent on the improvement of agriculture during the last five years?

(b) How much of the above amount has been spent (i) on the salaries and travelling allowances of the establishment; (ii) in the purchase of land; (iii) in the purchase of live stock; and (iv) in erecting and repairing buildings?

**The Hon'ble Lala Harkishan Lal.**—Statement showing the information asked for is laid on the table.

**NOTE.**—The questions of Rao Bahadur Chaudhri Lal Chand were asked by Chaudhri Bans Gopal.

*Statement showing the expenditure of the Agricultural Department during the last five years.*

Years.	Total amount spent on the improvement of agriculture.	Amount spent on salaries and travelling allowances of establishments.	Amount spent on the purchase of land.	Amount spent on the purchase of live-stock.	Amount spent on erecting and repairing of buildings.
	Rs.	Rs.	Rs.	Rs.	Rs.
1915-16 ... ..	6,08,576	2,30,427	...	2,400	1,88,217
1916-17 ... ..	6,48,250	2,61,766	10,221	4,247	1,56,250
1917-18 ... ..	7,43,676	2,34,247	...	600	27,826
1918-19 ... ..	7,86,623	3,03,730	...	888	1,42,824
1919-20 ... ..	8,78,938	3,29,148	...	6,536	2,18,478

Note.—In these figures are not included the special grants from wheat profits.

### AGRICULTURAL POLICY.

73. **Rao Bahadur Chaudhri Lal Chand.**

—(a) Has there been any change in the policy of the Government in the Department of Agriculture on account of its being made a transferred subject?

(b) What is the present policy of the Government with regard to this department?

**The Hon'ble Lala Harkishan Lal.**

(a) No change of policy has resulted from the inclusion of agriculture in the transferred subjects.

(b) That policy is now, as it has been in the past, to promote by research and demonstration the maximum development and progress that the country will assimilate. If the Member will define his question more precisely on a future occasion, Government will be glad to give him further information on any particular aspect of the problem on which he may seek it.

### SMALL HOLDINGS.

74. **Fao Bahadur Chaudhri Lal Chand.**

—Has the attention of the Government

been drawn to the great waste of labour, time and energy of the cultivators going on on account of (i) the smallness of holdings, and (ii) each holding being scattered over the whole area of the village in small pieces here and there? If so, will Government be pleased to consider the advisability of taking some steps to consolidate these holdings?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia.**—“Yes; Government is aware of the facts.

The question of taking active steps to combat the evil has been under consideration for some time; but it has not been easy to arrive at a satisfactory solution. The Registrar of Co-operative Societies has devised a scheme for consolidation of holdings on co-operative lines, and is at present engaged, through his staff, in explaining this scheme to the zamindars in several districts. In Gurdaspur, Hoshiarpur, Jullundur and Gujrat already several villages have agreed to the principle of repartition of the land so as to secure solid blocks for each owner. In three or four cases possession has been exchanged

and mutation sanctioned; in others, the work is progressing towards completion. The Financial Commissioners recommended the appointment of a special staff for this work, but it is doubtful if funds can be spared at present. It is hoped that the experience gained from the work now in hand will indicate how progress can best be expedited in future. The matter is receiving the full attention of the Financial Commissioners.

Secondly, the bad monsoons of the last five years, with the resulting poor crops of *chari* (the principal fodder), the habit the cultivator, tempted by the high prices of food grains and cotton, has adopted of reducing his fodder area in canal lands, has contributed to the shortage.

As regards remedial measures, I would refer to the answer to be given to question No. 126.

### CATTLE CENSUS.

75. Rao Bahadur Chaudhri Lal Chand.—How does the cattle census of 1920 compare with that of 1914 in Rohtak District and in the Province, and will Government be pleased to lay the two statements on the table for the information of this Council?

The Hon'ble Lala Harkishan Lal.—The required information is given in statement No. VII of the Report on the Season and Crops of the Punjab for the year 1919-20, which is obtainable from all agents for the sale of Punjab Government publications.

### DECREASE OF CATTLE IN ROHTAK.

76. Rao Bahadur Chaudhri Lal Chand.—To what causes does Government attribute the alarming decrease of cattle in Rohtak District, and what steps does Government propose to take in order to effect an increase?

The Hon'ble Lala Harkishan Lal.—The principal reasons for the decrease in the number of cattle in the Rohtak District between 1914 and 1920 are, *firstly*, the unusually severe epidemics of cattle disease that prevailed in that district. The Veterinary Department did what it could, by inoculation and vaccination, to cope with the epidemics. But more help from the people themselves, who in many cases declined to have their cattle inoculated or vaccinated, is very desirable in this matter.

### EPIDEMICS AMONG CATTLE IN ROHTAK.

77. Rao Bahadur Chaudhri Lal Chand.—Has there been any serious epidemic in Rohtak District during the years between 1914 and 1920, and has it been noticed for the first time now in order to explain away this decrease in the number of cattle or it was reported at the time when it was prevailing?

The Hon'ble Lala Harkishan Lal.—There have been many serious epidemics in Rohtak during the period, of which Government and the Civil Veterinary Department were well aware at the time, although it is possible that all the outbreaks were not reported at the time.

In the year 1914-15, 1,382 bovines were recorded as dying in Rohtak from contagious diseases, mainly rinderpest and hæmorrhagic septicæmia. In 1915-16 the number was 1,469, black-quarter displacing rinderpest as the second main disease. In 1916-17, 1,128, and in 1917-18, 1,108 deaths occurred. In 1918-19 the figure rose to 2,793. In this last-named year rinderpest accounted for 2,372 and hæmorrhagic septicæmia for 385 deaths. There were 81 reported outbreaks of the former and 3 of the latter disease in this year.

78. Rao Bahadur Chaudhri Lal Chand.—What steps did the Government take when the epidemic referred to in the above question was prevailing, and how many cattle were treated by the Veterinary Department?

**The Hon'ble Lala Harkishan Lal.**—In 1914-15, 503 animals were inoculated for rinderpest; in 1915-16, 911 for rinderpest, 18 for hæmorrhagic septicæmia, while 816 were vaccinated against the latter disease and black-quarter. In 1916-17 the inoculations rose to 2,104 and the vaccinations were 796. In 1917-18 the figures rose to 5,860 and 2,207, respectively. All the 84 outbreaks of 1918-19 were attended by Veterinary Assistants. In 38 of these 84 outbreaks, 13,409 animals were inoculated, in 38 the owners of cattle refused to have this done, and in 8 inoculation could not be carried out owing to shortage of serum. At present there is no shortage of this. 1,637 vaccinations were also performed.

### EXPORT OF CATTLE.

**79. Rao Bahadur Chaudhri Lal Chand.**—How many cows and buffaloes have been exported to Bombay and Calcutta during the last five years from Rohtak District, and does Government propose to take some steps to put a stop to this export?

**The Hon'ble Lala Harkishan Lal.**—No separate figures are available of the export of cows and buffaloes from Rohtak District, that district being included in the Cis-Sutlej block of the Punjab for trade purposes.

Figures as to the export of cattle from that block, and from the Province as a whole, are published in the Internal Trade Reports of the Province annually: these reports are available to the public.

The regulation of exports and imports rests with the Government of India and is not within the powers of the Local Governments.

### SCHOLARSHIPS FOR SONS OF INDIAN SOLDIERS.

**80. Rao Bahadur Chaudhri Lal Chand.**—(a) Has Government set apart a speci-

fied sum for providing scholarships to the sons of Indian soldiers, and if so, how much of it has been spent annually in each district ever since its being so set apart?

(b) What is the procedure adopted to ensure that all deserving students should get the benefit of this scheme?

(c) Has there been any slackness on the part of the Education Department in spending this money, and if so, will Government be pleased to make it impossible for any deserving case to be left out on account of the apathy of the officers in charge of this work?

**The Hon'ble Khan Bahadur Mian Fazl-i-Musain.**—(a) The answer is in the affirmative.

Provision was first made in the budget of 1919-20 for this purpose, Rs. 10,000 being allotted. It was intended that the scheme should benefit the children of Indian soldiers who were killed on active service, or died of disease or were permanently incapacitated by wounds or disease contracted on active service in the Great War. Expenditure in that year was Rs. 9,123. Subsequently the benefits of the scheme were extended to the children of combatant or non-combatant ranks of the army on the active list between August 4th, 1914, and November 11th, 1918, if the parents were not in affluent circumstances. The extended scheme came into force on April 1st, 1920, and a provision of Rs. 85,000 was made, out of which Rs. 33,858 have already been spent. A statement showing the expenditure in each district for each of the two years is attached.

(b) Both schemes, and particularly the extended scheme, were given the widest publicity possible. Information was sent to Publicity Committees, Commissioners, Deputy Commissioners, Educational Officers and to the Press. In addition information was given to the Army Department for circulation.

An Urdu translation of the scheme was made and copies thereof were sent to all



District Boards and Municipal Committees, also to all schools—high, middle, primary and technical—for boys and for girls with directions for posting in a conspicuous position on the walls of the school.

At the same time the attention of all inspecting officers was drawn to the need of paying special consideration to this matter on the occasion of their inspections.

The formal procedure is laid down in the rules. It may be summarized by saying that the District Inspector is empowered to receive applications from parents or guardians. He then makes the local enquiry, and forwards his cases to the

Deputy Commissioner quarterly. The Deputy Commissioner submits a formal application for the total amount required to the Director of Public Instruction who immediately puts it at his disposal.

(c) It will be seen from the reply to (b) that there has been no slackness on the part of the Education Department. Government however, in order further to ensure that no deserving case should be left out simply because a formal application has not been received, intends to issue a direction to the officers of the department that enquiry should be made from each boy and an annual statement prepared.

STATEMENT.

No.	District.	AMOUNT SPENT IN	
		1919-20.	1920-21.
		Rs.	Rs.
1	Hissar	...	53
2	Rohtak	2,358	5,349
3	Gurgaon	288	17
4	Karnal	...	...
5	Ambala	24	554
6	Simla	...	...
7	Kanpur	556	2,135
8	Hoshiarpur	...	536
9	Jullundur	1,500	2,359
10	Ludhiana	...	4,578
11	Perozepore	294	2,474
12	Lahore	671	1,453
13	Amritsar	1,400	7,112
14	Gurdaspur	28	194
15	Sialkot	...	1,608
16	Gujranwala	174	...
17	Sheikhpura	...	154
18	Gujrat	96	169
19	Shahpur	440	...
20	Jhelum	1,298	...
21	Bawalpindi	...	2,336
22	Attock	...	515
23	Mianwali	...	...
24	Montgomery	...	...
25	Lyallpur	...	727
26	Jhang	...	...
27	Multan	...	224
28	Muzaffargarh	...	...
29	Dera Ghazi Khan	...	...
Total		9,128	33,598

## EDUCATION AND SANITATION.

81. Rao Bahadur Chaudhri Lal Chand.

—(a) How much money has been spent in the Departments of Education and Sanitation during the last two years, specifying how much of these sums has been spent in rural areas and how much in urban areas?

(b) In view of the small sums being spent in rural areas, will Government be now pleased to make it a rule that in future budgets sums reserved for and spent in these departments be separately shown by sub-dividing the columns of income and expenditure under these heads as indicated in part (a)?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain. — (a) Such tabulation is not available. The information required is being collected and will be made available when ready.

(b) Answer to this will follow the answer to (a) above.

Mr. Ganpat Rai. — Has an enquiry been made from the Sheikhpura District as to whether application has been made to make primary education compulsory in that district.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain. — The supplementary question is not covered by the question out of which it is supposed to arise.

## COMPULSORY PRIMARY EDUCATION.

82. Rao Bahadur Chaudhri Lal Chand.

—(a) How many District Boards (if any) in the Province have taken steps to introduce compulsory primary education in the areas under their jurisdiction, and if none, why?

(b) Will Government be pleased to assure District Boards that funds will not be wanting if they make a beginning in this direction by selecting small areas in their jurisdiction?

(c) Has Government already taken any steps in this direction so far as rural areas are concerned, and if so, will Gov-

ernment be pleased to lay all such orders on the table?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain. — (a) No District Board has applied for permission to introduce compulsory primary education under the terms of section 3 (1) of Part I of the Punjab Primary Education Act of 1919. District Boards can and will be requested to state why they have not taken action.

(b) Government is already giving very considerable assistance to District Boards for the expansion of primary education, and will bring to the notice of the District Boards that they can make a beginning in selected areas within their jurisdiction.

(c) The Act provides that the initial step should be taken by a District Board; until such a step is taken, Government is unable to go further than as stated in paragraph (b) above.

## CANAL PATWARIS.

83. Rao Bahadur Chaudhri Lal Chand.

—Is the Government aware that canal patwaris are required to make arrangements for the supplies of all Canal Officers visiting their circles, and in some cases they are deprived of their bonuses if these arrangements are not satisfactory.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia. — The collection of supplies through departmental agency is to be discontinued by Government appointing salaried contractors for the supply of commodities to officers on tour. The second matter referred to does not arise as bonuses are based on a system of marking, which is unaffected by the question of camp supplies.

## CRIMINAL LITIGATION IN GOHANA TAHSIL, DISTRICT ROHTAK.

84. Rao Bahadur Chaudhri Lal Chand.

—Is the Government aware that the inhabitants of Maham, Mekhra and Bainsi zails of Gohana Tahsil in Rohtak District have to travel through Rohtak Tahsil in order

to reach Gohana for petty revenue and criminal litigation? If so, will Government be pleased to make suitable arrangements to save them from this trouble either by bringing them back to the Rohtak Tahsil, where they previously were, or by making Maham a sub-tahsil?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Government is aware that the inhabitants of Maham, Mekhra and Bainsi zails are put to some inconvenience through being attached to the Gohana Tahsil, and owing to better roads, those living in Maham and Mekhra zails probably do travel to Gohana through Rohtak itself. The Maham thana was transferred to the Gohana Tahsil in 1910 as the best arrangement by which the economy of doing away with the old Sampla Tahsil could be rendered practicable. Had the Maham thana remained in the Rohtak Tahsil as reconstituted, the work of the Rohtak Tahsil would have been much too heavy. In 1917 the Financial Commissioners, in order to minimise the inconvenience complained of, sanctioned a scheme by which revenue from the Maham thana was paid in at the Sadr. It is believed that this scheme is working well. Government does not consider it desirable again to include the Maham thana within the Rohtak Tahsil owing to the uneven distribution of the work which would result. Government is prepared to consider the question of the constitution of a sub-tahsil at Maham.

#### IMPRESSMENT OF CARTS.

**85. Rao Bahadur Chaudhri Lal Chand.**—Under what law do Government propose to legalise the impressment of carts for the use of civil touring officers by issuing a direction that the Deputy Commissioner, with the help of a small non-official advisory committee, will fix the rates of hire of these carts, etc., and why a different provision has been made with respect to the supply of carts when they have ordered contractors to be appointed for the supply of other article for the use of touring officers?

**Chaudhri Bans Gopal.**—I have been instructed by Rao Bahadur Chaudhri Lal Chand that action has already been taken with respect to question No. 85, and I do not ask this question now.

**The Hon'ble the President.**—The question is withdrawn.

#### PRICE OF COTTON.

**86. Rao Bahadur Chaudhri Lal Chand.**—Has the attention of the Government been drawn to the abnormal fall in the price of cotton, and has Government taken any steps to enquire about the causes of this fall?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The reply to the first part of the question is in the affirmative. The fall in the price of cotton is not confined to India, but is worldwide. It is due, in the main, to the absence of purchasing power in the countries of Central Europe and to financial troubles in Japan.

#### IRRIGATION DEPARTMENT.

**87. Rao Bahadur Chaudhri Lal Chand.**—Will the Government be pleased to state—

- (a) the number of cases tried by Magistrates of the Irrigation Department during the last three years on the West Jumna Canal;
- (b) the number of accused persons in each case;
- (c) the number of hearings occupied in the decision of each case;
- (d) the number of hearings in part (c) in which the accused had to travel to a place more than 15 miles distant from their homes;
- (e) the number of hearings given in Revenue districts other than those of the accused;
- (f) the number of cases (if any) dismissed under section 203, Criminal Procedure Code?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—(a) 870.

(b) Average 3, minimum 1, maximum 59 in one case and 41 in another.

(c) Average 3, minimum 1, maximum 23.

(d) 280. This number is approximate only, owing to one division being unable to supply accurate figures, but making an allowance for this division based on the average for the rest of the Circle, the number 280 is approximately correct and is a safe maximum.)

(e) 35.

(f) 313.

#### CIVIL COURTS AND DIET-MONEY.

**88. Rao Bahadur Chaudhri Lal Chand.**—Will Government be pleased to state for the information of this Council—

(a) the number of witnesses in Civil Courts of Rohtak District which have been served with summons without the diet-money having been paid to them at the time of the service of the summons during the last two years ;

(b) the amount of such money remaining undischarged during the last two years separately ?

**The Hon'ble Sir John Maynard.**—

(a) The number of witnesses in Civil Courts of Rohtak District who have been served with summons without the diet-money having been paid to them during the years 1919 and 1920 is 8 and 50, respectively.

(b) The amount of such money remaining undischarged during the years 1919 and 1920 is Rs 37 and Rs. 114, respectively.

#### ROHTAK DISTRICT CIVIL COURTS.

**89. Rao Bahadur Chaudhri Lal Chand.**—(a) How much money under this head

(referred to in the above question) has lapsed to the Government during the last two years ?

(b) In view of the difficulty experienced by the litigant public, will Government be pleased to direct—

(i) that the diet-money should in all cases be paid at the time of the service of the summons ; and

(ii) that any sum remaining undischarged should be sent to the depositor by money order before the file is sent to the Record Office ?

**The Hon'ble Sir John Maynard.**—(a) The sum is not known, but if the Member desires it, enquiries will be made from District and Sessions Judges and the result will be duly communicated.

(b) (i) The rule is already enjoined by the instructions issued to Civil Courts,—vide paragraph 1 of Section XXVII of the Rules and Orders of the High Court.

(ii) It is understood that the Hon'ble Judges are already considering generally the advantages and disadvantages of the money-order system.

#### CONVICTIONS IN ROHTAK DISTRICT.

**90. Rao Bahadur Chaudhri Lal Chand.**—Will Government be pleased to state for the information of this Council the number of persons sentenced to imprisonment during the last five years in Rohtak District, specifying how many of these got rigorous imprisonment and how many simple, excluding those cases in which a sentence of simple imprisonment alone could have been passed ?

**The Hon'ble Sir John Maynard.**—The total number of persons sentenced to imprisonment during the last five years in the Rohtak District is 1,473. Out of this 1,371 got rigorous imprisonment and 102 simple imprisonment. Out of the 102 who were sentenced to simple imprisonment, there were 14 who could not legally be sentenced to rigorous imprisonment.

## GENERAL DISCUSSION OF THE BUDGET.

**The Hon'ble the President.**—The Council will now begin the general discussion of the budget. The Hon'ble the Finance Member has already made his statement on the budget, and it is now open to Members to give their views on the budget generally. There will be no further statement from the Hon'ble the Finance Member, but if he wishes, he will reply at the end of the general discussion.

**Sayad Muhammad Hussain.**—Sir, after hearing the learned speech of the Hon'ble Finance Member and going through the budget, I have come to the conclusion that, though prepared with great zeal, tact and ability, it cannot fulfil the hopes cherished by the Province.

I would first suggest that the way in which the budget is prepared should not be the one in future. In my opinion, a Sub-Committee appointed by the Council representing every shade of opinion should assist the Hon'ble Ministers in the preparation of the budget. This will save much of the discussion, and the Council will be fully informed of the facts and figures and prepared to give its sanction.

I, Sir, fully appreciate the suggestion of the Hon'ble the Finance Member that the money realised from the sale of land should be regarded as a capital money, and as such should be spent on capital investments only.

Perhaps, Sir, the Government is not fully aware of the backward condition of the Province in education, sanitation and industry. The bulk of the population being illiterate is unable to understand the responsibilities put on the inauguration of the reforms. The first and foremost duty of the Council should be to pave the path for the free and elementary education by opening as many schools as possible throughout the length and breadth of the Province, so that when the call to start the free and compulsory education comes, we must be fully prepared beforehand to

give response to it. Side by side with the elementary education, though in a lesser degree, we have to start Anglo-Vernacular schools for secondary education. In every tahsil we require a training school for teachers, whose want we have already begun to feel. Besides this, we badly require agricultural and industrial schools and colleges in all big centres. The only one Agricultural College of Lyallpur is insufficient for the wants of the Province. The Veterinary College and the Medical College, Lahore, cannot meet the demands of the public. In both these useful institutions very many students can not find admittance for want of space and staff. I can say with confidence that if their number be increased, they will draw multitudes in. People of the Province are dying daily in thousands of plague, cholera, malaria, influenza small-pox and other diseases for want of sanitation and medical aid. They do not find clothings to protect them from heat and cold, or nourishing food to create in them the immunity against pestilence. Shall we, Sir, go on hoarding money with millions of our brethren dying before our eyes?

I think the best example to explain our condition will be of a man possessing house worth Rs. 10,000 with children to educate and himself ill at the point of death. The best course for him will be to sell his house at once and get himself properly treated, his sons properly educated. They then with their united efforts can build a place to live in. Similar is our condition, if we break illiteracy. If we save the life of our countrymen by combating the diseases whose prey hitherto we have been, if we develop our commercial, agricultural and industrial resources by spending one and-a-half crore of rupees—our capital money, we will be regenerating our nation and the investment will be a capital one. If, Sir, our nation remains void of education and is wiped out before our eyes, what is the use of that hoarded money to us? In my opinion, Sir, we should approach the Government of India to give us back our balance to regenerate our nation.

Going into the details of the income and expenditure, I would say that the items calculated in the budget may be taken as accurate. But keeping in view the heavy sum of indemnity of Amritsar and other places which we will have to pay from the Provincial funds, I would advise the Council to go into the details of every item one by one and see which of these we can postpone for the current year without injuring the useful work in contemplation before us. I would not like to enter into the detail of each of them to-day; full consideration will be given to them when the day for voting them comes. In the end I would say that much of the money is spent year after year on buildings for the officials, school building and other things; only if we could tolerate the inconvenience of those for whom they are built, we could solve the educational problem of the Province within two or three years.

**Mian Muhammad Shah Nawaz.**—Sir, while congratulating the Hon'ble Member for the Finance for the very lucid way in which he has brought forward his first Financial Statement, I cannot help saying that the budget presented by him discloses a situation which causes the gravest concern to the taxpayers of this Province. Our closing balance on 31st March 1921 amounts to Rs. 1,99,53,000. I am glad to say that the Provincial Loan Accounts are squared with the Central Government. Thus the closing balance on 31st March 1921 practically comes to Rs. 1,40,83,000. But what about the coming income and expenditure for the year 1921-22. We are informed by the Hon'ble Member for the Finance that the estimated revenue of the year 1921-22 will approximately amount to Rs. 11,30,92,000, while the estimated expenditure will come to Rs. 11,75,37,000. So there will be a deficit of Rs. 44,45,000. This will make us pause to consider our financial position quite seriously. Thus the closing balance on 31st March 1922 will amount to Rs. 96,37,000, and out of this we shall have still to pay lakavi loans to the agriculturists who will certainly like to have them and improve their

lands. The opening balance on the 31st March 1922 will not exceed more than approximately 88 lakhs and 44 thousands, and when I see that this balance will also include nearly 53½ lakhs which we have realized from the sale-proceeds of our lands in the colony, I regret to say that we have only saved a few lakhs in all. I hope that additional taxes will never be levied. I hope that the poor agriculturist, who looks from crop to crop with labour-dimmed eyes and great anxiety, will not be taxed any more. He barely ekes out an existence. Sir, the main heads of our income are Irrigation, Land Revenue, Excise and Stamps. I will take these heads separately. The mighty rivers of our Province with great system of canals still continue to fertilize our land and still continue to feed the children of our soil. I am glad to say that the Irrigation yields over Rs. 3,70,00,000 after deducting the expenses of Irrigation which amount approximately to Rs. 1,23,00,000. I am glad to observe that the Lower Chenab Canal pays very well. I am also glad to say that the Lower Bari Doab Canal is also paying well. But I respectfully beg to submit that the Upper Chenab Canal, which irrigates the districts of Gujrat and Gujranwala and a part of Sheikhupura, is not paying at all. It may be that it is really a feeder to carry water for the Lower Bari Doab Canal, but I will ask the Hon'ble the Finance Member and the Hon'ble Member for Revenue to curtail the expenses of the Upper Chenab Canal and try to bring all the available area under cultivation. Sir, I am one of those who is never prepared to welcome the idea of seeing the Irrigation starved in the budget. I find that this Government has not taken any of the schemes of Irrigation in hand. The most important scheme of Irrigation is the Sind Sagar Canal Project, and I regret to say that despite the protest of the Thal proprietors the Government have not seen their way to take this project in hand. This project was thought out in 1878 and survey was carried out by Mr. Andrews. In 1902 Government passed an Act by virtue of which 4th of the common lands belonging



to private proprietors were to pass into the hands of the Government in the event of the construction of the canal. Sir, the area of 3½ths of shamilat lands comes to 17 lakhs of acres, and the proprietors under the Act were in 1902 willing to hand over this area to the Government, but up to now the Government has not started this project. It is a project of high order, and from commercial point of view it is very beneficial to the country as well as to the Government.

I am very glad to see that nearly Rs. 1,50,000 has been provided for the sub-division of squares to be commanded by the Sind Sagar Canal project in the Thal tract, and I have every hope that the Government will see its way to construct this canal without further delay. I respectfully submit that if the Government is not prepared to construct the canal, it will be far better if the construction and control of this canal be entrusted to some Indian company. I admit that this may be a bad precedent, but if the Government has not got the money, why should the Province suffer. I understand that the Tata's company is willing to invest money in this direction, and I ask the Hon'ble the Finance Member and other Executive Members of this Council to look into the matter quite seriously, because if the canal has got to be constructed, this must be taken up forthwith, or else Act I of 1902 must be repealed. The Thal proprietors are getting impatient and further delay in the construction of the canal is bound to lead to serious agitation. The Act is hanging like the sword of Democles over their heads.

The next is the Haveli project. It is small and decent project, and it was contemplated during the war. This project will take the surplus water of Jhelum and Chenab rivers at Haveli Bahadurpur by constructing a weir. This will be able to irrigate the greater part of the Shorekot Tahsil situate on the right bank and the left bank of the Chenab river. On the right side the canal can easily be constructed down to Rangpur. It will pass from Bahadurpur, Abdul Rahman, Ahmadpur,

Behrampur and Rangpur. It is not a long distance. It is only 40 miles. On the left side a part of the Shorekot Tahsil will be irrigated, and thus the project will eventually link up the Sindhnai Canal making the latter a perennial one. It would have been much better if this canal had been taken in hand at once.

Then comes the Sutlej Valley project. I am also glad to see that nearly Rs. 2,88,000 are provided for the survey in the Bari Doab tract, presumably for the survey of the area to be commanded by this canal. The Hon'ble Member for Finance has pointed out that this project would have taken only two years if the funds were available, and it may now take five years. I am not at all optimistic about this project. The project was started in the interests of the Maharaja of Bikaner and the Bahawalpur State. The Maharaja of Bikaner is quite anxious for the construction of this canal, but the authorities of Bahawalpur are not at all anxious. So I am not at all optimistic that this canal project will be finished within five years, indeed it will take some ten years, and it should not be given preference over the Sind Sagar Canal project. So, practically, I submit that the Irrigation has been starved absolutely in the budget.

The first head of income is Land Revenue. I am glad that the land revenue has been enhanced to some extent. I am also glad to find that the area in the triple canal project is now yielding 5½ lakhs more than it used to yield before. But the Indra has not been kind enough to shower rains on us, and the rabi crop is weak and poor. So the prospect before us is not very bright. I might draw the attention of this Council to the case of the poor agriculturist who with hardest labour and raking anxiety barely ekes out an existence. He is still ill-fed, ill-clothed and is still ignorant, and there is no chance of his elevating his status. I have seen in the budget that nearly 12 lakhs are provided for the settlement and survey. How long are we going to continue these settlements? I assure you, Sir, the poor agriculturist does not like it. He

does not like settlement operations. He considers that the settlement and the plague are synonymous terms. It will be far better if a Commission were to be appointed to go into the matter of settlement and get the land revenue enhanced, if at all it is to be enhanced, without going to the spot. The settlement is either going on or about to be started in the districts of Lyallpur, Jhang, Muzaffargarh, Multan and Montgomery.

I now come to the Excise. Blessed be the *bhungis* and *shorabis* who always come to our help in our time of trouble and make us forgetful about our pecuniary circumstances for the time being, but when the effect of intoxication is over, he will make us pause to think seriously. But how long are we going to exact money from the people who have acquired the bad habit of drinking. I thought that we could bring about a total prohibition of liquors and other drugs by closing 10 per cent. of liquor shops every year, but I am afraid we cannot do this. The deficit in our budget will compel us not to interfere in this department. My friend Sardar Bahadur Sardar Mehtab Singh who is going to propose that the people of the Province should abstain from drinking will have a difficult problem before him. If we had one-hundredth part of the wealth of America, we could bring about total prohibition at once, but in the face of the present budget it cannot be done, although I desire earnestly that we should all become tee-totalers.

I now come to the Stamps. The Punjabi is a good soldier as well as a good litigant. He continues to feed our judicial administration, is filling the pockets of the lawyers, and is also giving us surplus.

Then as regards Forests, green forests—cut and dried—are to be the bright hope of our finance, but it is to be seen whether the forest is to be a profitable concern. I find that the Bashahr Division is going to swallow up a good deal of our money, and I only hope that this will be a beneficial concern from commercial point of view.

I now come to Education, Sanitation and Agriculture. I thought that within the next ten years, we could safely make each and every boy in this Province to read and write. I have always been for compulsory education. The proverbs in the Persian are :—

علم در کله از در پله—

علم نگران خدا را شناخت—

I am sorry to say that there is no prospect at present of introducing the elementary compulsory education. Our budget is so poor, it is really so disappointing, that I cannot say at this moment that the compulsory education should be introduced. My learned friend, the Hon'ble Minister for Education, will say that who calls the tune must pay the piper. I am not for additional taxation, and I regret to say that the problem of compulsory education must stand over for the time being. I only wish that all the boys and the girls were to become literate within the next 15 years. As regards Agriculture and Sanitation, nothing has been done. We have not got much. The Hon'ble the Finance Member says that he has given much for Agriculture and Sanitation. I do not find much provided in the budget. We have been given a few lakhs for sanitation and for the education of our children, and really that is not much. I, however, find many people are dying from plague, cholera and influenza. I find that there are very few hospitals and dispensaries in the Province.

As regards industries, I am glad to see that the Hon'ble the Finance Member has seen his way to give us an institution for the mechanical engineers which will serve a good purpose, and I thank the Hon'ble the Finance Member for introducing this institution in the immediate vicinity of Lahore.

Sir, I will not be doing my duty if I were not to proffer a strong protest against Provincial contribution which we have to give to the Central Government. We have to give under the new scheme Rs. 1,75,00,000. That is too much for us. We find that Bengal has only to

contribute 68 lakhs and the Bombay Presidency only 56 lakhs a year. The Presidency of Bengal is larger than ours. It has more population, and apparently it is a rich country. Why should they pay 68 lakhs and we Rs. 1,75,00,000. The population of Bombay is as large as ours, but the commercial prospects there are bright and still that Province has to contribute only 56 lakhs. It is true that within the next seven years we will be paying only 2 per cent., but why should we pay Rs. 1,75,00,000 at present.

We should have contributed only 9 per cent., that is, a little less than 1 crore; while we have actually got to contribute in the first year 1 crore and 75 lakhs. I see that the Bengal Government has even protested against a contribution of 61 lakhs. It is, I think, most unfair for the Bengal Government which is much richer than ours to contribute less than the Punjab. I am going to lodge a strong protest on behalf of the Members of this Council before His Excellency the Governor that we are really very badly off, and that a part of the contribution should be remitted. It is true that within seven years we will contribute our due share, that is, 9 per cent., but to begin with Rs. 1,75,00,000 is really too much. I am going to move a resolution to this effect—I will give a notice of it to-morrow—that this Council recommends to His Excellency the Governor to make a suitable representation to His Excellency the Governor-General to reduce the contribution of the Province—the Provincial contribution of this year at any rate—from Rs. 1,75,00,000 to Rs. 1,25,00,000. We have already remitted the Amritsar indemnity; we may possibly have to compensate the victims of the Jallianwala Bagh, and we may have to remit the indemnity which we have realised from other places. In these circumstances, we pray to His Excellency the Governor to regard our case with kindness. We have not had proper rains and instead are getting duststorms. Therefore, I humbly submit to all Members of this Council to move His Excellency the Governor to remit a part of the Provincial contribution

of this year. Sir, I am aware of the difficulty in which the Hon'ble the Finance Member is placed. I am also aware that he has got a difficult task before him. I am neither optimistic nor pessimistic. I am not one of those who will expect to see a prosperity budget in the year 1922, but I am not one of those who would like to have a disappointing document. I only hope that the Hon'ble the Finance Member will see his way to give us a much better budget next year than he has given us this year.

**The Hon'ble the President.**—I would ask Members to give beforehand the heads of their speeches to the interpreter. It is a very difficult task for any interpreter suddenly to translate a lot of facts and figures in a discussion like this. If Members do not give the heads of their speeches beforehand, it is almost impossible for the interpreter to give a good translation.

**Pandit Daulat Ram, Kalla.**—I must congratulate the Hon'ble Member for Finance for the excellent way in which he has presented the budget of the Province. He has not only shown the mastery of the Finances, but he has explained the figures in a teacherlike way and has put things so as to make it simple for this new Council to understand the Finances of this Province. He has very clearly shown how the income is to be derived from certain sources and how it is to be spent. From the figures supplied we are in a position to know our connection with the Government of India. In the first instance, we have to pay 4ths of the income to be derived from the income-tax to the Government of India. In addition to that we have to pay 1,75 lakhs to the Government of India. That is our annual contribution that has to be made by this Government to the Government of India for carrying on the Central Government. I would here associate myself with the remarks that have been made by Mian Muhammad Shah Nawaz that this contribution is too large as compared with the contribution which is to be

paid by the Bengal Government to the Central Government. I hope that when the Hon'ble Member brings forth his resolution on the subject he will have the support of the whole Council. Then, Sir, I am glad to observe that even before the introduction of the Reforms Scheme the Government of the Punjab were paying adequate attention to the financial interests of this Province. There is one typical example of this. A sum of rupees one crore was palced with the Government of India in 1914 and the promise was that the Government of India would pay us as an annuity of 8½ lakhs annually. When the Punjab Government found that the rate of interest was going up, it made a representation to the Government of India that they did not want to continue that arrangement. When this Government found that they could earn more interest for the same money in the market they at once made a representation. This shows that they were taking proper care of the public money. But when this proposal went to the Government of India they expressed their readiness to reduce the Provincial debt on irrigation works by one crore. As this proposal would reduce the interest charges on Irrigation Debt only by Rs. 3,38,500, it appeared to be actually less profitable to this Province than the existing assignment which yields 8½ lakhs per annum. So, Sir, I will say that financial interests, so long as they were in the hands of the Punjab Government, were being looked after very well. I hope that this Council will also keep in view the financial position of the Province when they have to make certain allotments. Further on, I find that there is a deficit of 44½ lakhs in the budget, that is to say, we are spending more than our income, and this is not a satisfactory state of affairs. In the time of Akbar police had instructions to watch the man who spent more than his income. Here also I have to congratulate the Hon'ble the Finance Member because when he has come forward with a deficit of 44½ lakhs he has not brought forward any proposal for further taxation. In any country of Europe when a finance minis-

ter brings forward a deficit when presenting the budget he at the same time brings up some new proposal for new taxation, but the Hon'ble the Finance Member instead of proposing new taxation has proposed to meet his deficit of 44½ lakhs from the accumulated balances of the Province. I think that is a very sound proposal, and he has really made a concession to the public opinion at this time which is not prepared to accept any further taxes. Not only this, but he has made a liberal contribution for the transferred subjects and this again is a concession to the public opinion. Ministers are in charge of these subjects, and they will see that this money is properly spent.

Sixteen lakhs has been added to the grant for Education Department, and under the Public Health the estimated grant has been doubled. We hope, Sir, that the Hon'ble Minister in charge will be satisfied that he has sufficient money in his hands. There is no doubt that there should be more education and more sanitation in the country. We see that England is the best governed country in the world, but it is at the same time most highly taxed. If we make any proposal that there should be free compulsory education, I would like to support it. If we bring forward a proposal, we should at the same time think out some means of financing it. Therefore for the present we should content ourselves by leaving this sum in the hands of the Hon'ble Minister for Education and we can expect that all that is necessary will be done by him in the interest of the Province. As I have just pointed out that the state of the budget is causing alarm because there is a deficit of 44½ lakhs, I am just going to examine various heads of the budget in order to find out if this deficit can be reduced by the vigilance of the Hon'ble Members in charge of the various Departments. In this respect I would first of all take the Department of Industries. The Department of Industries is at present in the hands of the Hon'ble Mr. Harkishan Lal, the well-known prince of traders, and we can expect that the industries in the Punjab will make progress and he will

work in the true spirit of a Swadeshi worker. He will not only be able to organize industries of the country, but in consequence of that the country will become rich and will pay more taxes and thus the revenue will be increased in that way.

There is a sum of three thousand rupees under the head of industrial operations, but when the industries are under the able guidance of the Hon'ble Mr. Harkishan Lal, I trust that the income will be greatly increased.

Further on, I would say that the Veterinary Hospitals in the Province can also produce a little more income if this Department can be made sufficiently popular. As the Veterinary Hospitals stand at present, many people do not take their animals to them. If steps were taken to popularize this department, the Province shall be able to have more revenue.

Now for the developement of the fisheries in the Punjab there is a great scope, and if this could be properly looked after, more revenue could come out of them.

There is in the Jail Department a decrease of rupees thirteen thousand on account of some of the convicts not being hired by the Military Departments. In this connection I would suggest that in the light of the experience which the Jail Department had during the War, convict labour would be employed elsewhere if arrangements could be made for a satisfactory guard.

There is a decrease of one lakh of rupees in the sale of jail manufactures. During the War many of the official requirements were met by the Jail Department. During those days goods from foreign countries could not be imported, and the Jail Department was asked if it could supply any of such, and it is satisfactory to note that it did. Many articles which were not made in the jails before the War can now be made there. If the jail industries are encouraged, this decrease can be met with very well.

Under Stamps there should have been a remark showing that the increase was also due to the enhanced inspection fees of the judicial files; this head will surely bring more income than estimated. Similarly under the Forest the turpentine and resin factories should be opened on a scale so as to make these products the articles of export. Tree-planting should also receive attention, and forests should be preserved on a satisfactory scale as the scientists say that there is some connection between the forests and the rains. If this is done, prospects of good rain will be in sight. There is a decrease of one lakh under the head 'Consumption of timber.' No explanation is given for this, but I hope it will not prove to be at a loss.

Then there is Sutlej Hydro-Electric Scheme. For the survey of this Rs. 60,000 have been allotted. I will also ask to push on this scheme at such a rapid pace as can possibly be done. If that scheme will be in working order, many other uses of the electric power will be made. People would have good light and fans. It will also decrease the consumption of kerosine oil and make it cheaper. Not only this, but that will, I hope, curtail the use of kerosine oil in the Punjab to a great extent.

Lastly, I have to make one remark. Whatever is done here in this Council should be done bearing in mind one thing always. We owe a duty to the people, but we at the same time owe a duty to somebody else. Ten years after this, a Royal Commission is to come here to examine the working of the Council, and it depends on our working in this Council and the account that we render of ourselves by our work in the Council, that the political advancement of the country depends. If we prove that during this time we have been discharging our duties in this Council conscientiously and honestly, keeping in view the public interests, I think we shall be doing our duty to our Mother-land.

Diwan Bahadur Raja Narendra Nath.—  
Sir, I am sure I will not be wearying the



Members of this Council if I were to repeat what has been said by previous speakers as to our feelings of gratitude towards the Hon'ble the Finance Member for the lucid statement which he has presented. Our debt of gratitude is so heavy that it admits of repayment by each Member, but whilst we are grateful the budget presented has not added to our gratification. It is a deficit budget, and the circumstances under which the deficit has occurred have been briefly stated by the Hon'ble the Finance Member. There was cessation of monsoon which has continued during the winter and for that reason the suspensions of land revenue which is the main item of receipt are anticipated. Then there is the increase of salaries granted to the establishments and gazetted officers; That comes to a large amount. There is the cost of the Reforms Scheme, and the probable consequent increase of expenditure. All these causes have contributed to the increase, and it has not been possible to frame anything better than a deficit budget. The preparation of budget no doubt requires thought and care, and it is possible to err on the side of caution. I hope that subsequent events will prove that the income has been under-estimated and the expenditure over-estimated. This is possible if we have good rain now and if canal revenue shows greater increase during the year than what has been anticipated. We may thus have larger income and the suspensions may be smaller. Taking all that we have budgeted under different heads there may be some savings. Thus the amount of deficit which has been shown may be decreased if not altogether avoided. But as the budget stands, it will, I think, be the painful duty of the Members of this Council to refuse certain grants which we would not have done otherwise. Our refusal when it comes will not mean that we object in every case to the expenditure *inter se*, but we object to the expenditure in the present year. The question of contribution to the Government of India has already been touched by two previous speakers, and I am glad that my friend Mian Muhammad Shah Nawaz has given notice of a resolution to ask the Govern-

ment of India to reduce the amount, at least this year. I need not dwell on the points which can best come up for discussion when the resolution comes up before us, but it goes without saying that we have been put under a heavier burden than other Provinces, and that simply because we spent less than other Provinces. Perhaps actuated by some ideas of this kind, the Finance Department has this year presented a deficit budget, so that in future our case for reducing the amount of contribution to the Government of India may become stronger. I do not think it is necessary for me to say anything with regard to the requirements of the Province. Every one of us desires the extension of primary education, but in our demand for the extension of primary education we are apt to overlook the requirements of sanitation and medical aid. The care of the body is a very important matter—a sound mind in a sound body. I believe it is one of the most important duties of the State to look after the health of its citizens. Now under that head come the prevention of disease and the cure of disease. The prevention of disease is dealt with by sanitation. The question of village sanitation is a very difficult one, indeed one which does not admit of solution at once. I hope that the Minister in charge of Sanitation will be able to find some means by which to attack the most difficult problem of rural sanitation. But whilst adequate sanitary measures will require time, it is necessary to do what we can immediately to deal with the question of the treatment of disease. That question brings before us another difficulty, and it is that of buildings. If we give a hospital to any place, we must have a decent building, and the initial expense of buildings is so great that it becomes difficult to start new hospitals in many places. I would therefore suggest to the Hon'ble Minister in charge of Medical to consider whether it is not desirable to increase immediately the number of travelling dispensaries in such a way that medical help may come to the door of every one at his house. This I think will be cheaper in the long run than permanent hospitals erected in different places.



With regard to Education, the Hon'ble Minister in charge has long experience of this department, though in a different sphere, and I hope he will do whatever he can. In fact what was possible within the limits of the budget has already been done.

**Mr. Ganpat Rai.**—Like my other friends, I have also to express my acknowledgments to the Finance Member for having taught us the A, B, C of Finance. Most of the elected Members like myself are beginners, and for this reason we are doubly grateful to him. In his speech he said that 'the ways of an autocratic administration, controlled only by distant autocratic authorities, seemed mysterious: and there was no regular recognized machinery for scrutiny and none of that encouragement to persistent investigation which is given by a definite power of authoritative control. All that is changed from to-day.' But thanking him for what we have got, I would say that what has been given is incomplete, insufficient and, I may go further and say, disappointing. I say insufficient, incomplete and disappointing for this reason that our power on financial matters is very much limited—firstly, by Lord Meston's committee and, secondly, by the Government of India. And even the power which we have we cannot exercise even to this extent that we cannot appropriate from one head to another. Now we can reduce, we can omit, but we cannot increase, we cannot change from one head to another. Is that enough power given to this Council? Is that sufficient to give us any control over the purse of this Province? The Finance Member has clearly said that we have power to omit, power to reduce, but this power does not carry with it any authority to add to the grants or to appropriate a grant which is proposed for one purpose to another purpose. Then I say further that the budget which has been presented to the new Council, to the new Government, is verging on insolvency. As has been pointed out by the Hon'ble Member who has given the facts and figures, we begin with a deficit, so the power which comes into our hands

is only that of working insolvency. I think that with the money which has been offered to us we cannot carry on the reforms unless some means are invented to economise the expenditure, or, as it has been suggested by another Hon'ble Member, by increase of taxation. Now I go further and I submit that at the present there is no need for increasing taxation, but there is need of economy, and if we exercise our powers wisely, I think we can effect sufficient economy to introduce real reforms. And real reforms cannot be introduced in this Province unless we can spread primary education far and wide in the rural areas. Primary education in rural areas, I may say, has been neglected for many years. The grants on this head have been increasing from year to year, and the grants to local bodies have been increased, but on what has this money been spent? The money has been spent mostly on building schools—costly schools—which are not required for spreading primary education in this Province. Instead of having a school building worth Rs. 10,000 or Rs. 15,000 for primary education, a school costing Rs. 2,000 is quite enough for village boys. They do not require costly buildings. That has been one obstacle in the way of the spread of primary education on the part of local bodies. Now what do we find? Instead of spending money on spread of primary education in rural areas, large sums have been spent on large palatial buildings and schools and colleges in the towns—not only palatial houses, residential houses for officers, for their establishments. Now these residential and other houses can be built by private persons if encouragement is given to them; and if it was complained that exorbitant rent is charged, the remedy for that is very simple: a Rent Act can be passed fixing a reasonable rate of rent. Why waste this money on residential houses for officers, when there are private persons willing to come forward to build these houses, and they have been doing so in the past. Of course the only point is that of increase in rents, and that can be remedied by introducing a Rent Act.

Now while we find that the money is being spent on electric lights, electric fans, building of swimming tanks and bath-rooms in the towns, that money can be saved and spent on the rural education. Therefore I would submit that there is room for economy. I may also be permitted to say that in future if this Council makes up its mind to effect economy, it shall have to fix lower salaries and lower travelling allowances for the superior officers, who are to be recruited in future. I am not suggesting any curtailments in the salaries and travelling allowances of superior officers who are now in the service of the Government, but I would suggest that in future those who are to be recruited, should be paid lower salaries and travelling allowances. That is one way of economy and saving money for education, sanitation and the medical relief of the rural areas. While there are no schools in rural areas, we find money being spent over the buildings for the use of dogs in the Veterinary College at Lahore. I am afraid that some day provisions may not be made in the budget for accommodating cats. Then it has been suggested by one of the Hon'ble Members that we are neglecting medical and sanitation and are giving preference to education. I submit that in my opinion education ought to have preference over medical and sanitation because we will not have sufficient money to have dispensaries in each village, but we can have sufficient money to have a primary school in each village. If people are literate, they know how to help themselves when they have got stomach trouble. But unless they have some education, they cannot realise the necessity of getting themselves treated after travelling a distance of 18 miles for attending a hospital. I therefore put education as the first and foremost necessity of the rural areas of this Province. Proceeding further, I would submit that I do not mean that medical and sanitary necessities of the rural areas should be neglected altogether. While we find that in several districts there are only one or two dispensaries in one tahsil at a distance of 20 miles from each other, money is being lavishly provided for

equipment of hospitals with up-to-date appliances in big towns and hill stations. I submit why this preference is given to urban areas and to hill stations over the rural areas, which supply bulk of the revenue (many voices, yes, yes). I hope the Council will curtail expenses on these hospitals and will spend that money in opening dispensaries in rural areas. Sufficient facts and figures have been given by my hon'ble friends who have spoken before me. As we shall have ample time to reduce or omit grants, I would not trouble the Council with any further remarks. I would however once again bring to the notice of this Council that primary education of the rural areas is the first duty of this Council and that attempt should be made to provide sufficient money for this purpose in the budget by some means or other, which are at our disposal.

**Malik Firoz Khan, Nun.**—I think I cannot be accused of repetition if I say what has already been said by each and every speaker of to-day that great labour has been taken by Sir John Maynard in preparing the budget that has been presented to us.

First of all, I would like to say just a few words on the financial position of this Province as a whole. I hope, Sir, that the House has seen from the budget presented that there is an income of about Rs. 11,30,92,000. Out of this income I will like to point out that there are two main heads, that bring in the largest amount of revenue—Land Revenue Rs. 2,38,35,000 and Canals that bring in a revenue of Rs. 4,94,08,000 and foundation canals Rs. 8,40,000, total coming up to about Rs. 7,90,83,000. Roughly speaking, nearly 8 crore of rupees out of 12 crore of rupees, the total income of this Province, come from the rural population.

As you have seen, Sir, this year we are spending about 58 lakhs over and above our income, and my main wish to-day is to press the idea of economy on this House. You will see, Sir, that there is a large amount which we have to spend,

but at the same time you will remember that it is a poor man's mite. I repeat a Persian couplet, which runs thus :—

آهسته خروام بلکه مشغرم

ز دزد قدمت هزار جان است

which means 'walk slowly for beneath thy feet lye the lives of a thousand people.' In this Council, though we have not got the lives of the public at our disposal but we can do what we like with their money—a money that is earned by half-naked—perhaps half-fed—men and women who have worked out in the fields. So the Council should be very careful in spending this money. If we go on spending very freely, we cannot but increase the land revenue in future. As you know the increase of income-tax is not within the power of this House. That is within the power of the Government of India. If any money is required in the future, this Council will have to increase the land revenue and the burden of that will fall on the rural population.

After that, Sir, I would like to say a few words on education. To my mind, it seems to me that the whole policy of education ought to be changed. At present as it is the District Boards which have certain schools in their jurisdiction for whose maintenance and up-keep they have to pay. Besides, the Local Government also have schools which it supports mainly at the headquarters of the districts or in the large towns. Members must have noticed that the income derived from education is Rs. 6,99,000 and the expenditure is Rs. 8,60,900. So there is an expenditure of about 80 lakhs of rupees on education, out of which I am sorry to say that the rural people get very little. Most of what is spent on rural education is raised by local bodies and District Boards. I would like to point out to the Hon'ble the Education Member, who I am sorry to say is not here, that he should see that there is a fairer distribution of money in the future between the urban and the rural education. All of us know, Sir, that very recently a law was passed called

the Compulsory Education Act No. VII of 1919. That law was passed two years ago, and I am sorry to say that no effect has been given to it. But the Council will not be surprised to hear this because the provisions of this Act are such as make it absolutely worthless. It is only the brain of a Province, who can see into the future and realize the benefits of education. The ordinary village public and their representatives in the District Boards cannot realize the effect of a law on the community in general. So, when making this law (Act VII 1919) they should have made it in such a way that the local bodies and others would have been forced to spend a certain amount of their money on the education of their villages. Here you will see, Sir, that the law provides that 'when and if 3rds majority of District Boards and local bodies agree,' then and then alone can you bring about this Act into force, and moreover you have to raise funds locally which is a sort of hindrance, and that is the reason why no effect has been given to it. I think the Hon'ble Member for Education will take into hand the question of making compulsory education a central thing and not leave it to the will of the local bodies and District Boards, because if it is left to them, the Compulsory Education Act will absolutely be useless and the rural population will never benefit by it.

Moreover, I would like to suggest another change here in connection with this, while talking of the local bodies, and that is this that I wish to impress on this Council the desirability of having elected Presidents in all the District Boards. As you know all Deputy Commissioners are very hardworking men, but they have so many departments to look to, that it is rather difficult for them to devote proper and careful attention to each and every department. All Presidents of District Boards should be elected, and not the official Deputy Commissioner, because it is then and then alone that we can force them to bring into operation any law concerning compulsory education.

One point more, and that is this, that throughout the whole of this budget I fail to see any importance being attached to the female education. That is a subject which must receive the careful attention of this Council and the female education must be pushed on as far as possible. I hope the Hon'ble Minister for Education will kindly take note of this.

The next point which I wish to discuss is the question of medical relief. I see, Sir, that there is an item of Rs. 1,18,480 under head 32 for itinerating dispensaries. I do not know as to where these dispensaries have been working. As everyone is aware, in the last influenza epidemic nearly 8 lakhs of people died out in the towns because there was no medical relief. There were very few dispensaries, and as many as there were, they were quite unable to cope with the situation. I submit, Sir, that instead of spending money on itinerant dispensaries, there should be fixed dispensaries, because these dispensaries only go about and come back and report that there is no disease in the rural population. You will see, Sir, that whatever is provided in the budget is provided for hospitals in large towns and cities. Whatever dispensaries exist within the limits of District Boards are supported by the District Boards themselves. The funds for the maintenance of these are raised locally and spent locally. I suggest that out of this central fund, the rural population ought to get a greater share than heretofore.

I would like to say just a word about Forests. The income derived from the forests is 60 lakhs and the expenditure is 50 lakhs. That is an item which rather surprised me, and I think will surprise everybody but for the assurance given to us by the Hon'ble Member for Finance that some of this expenditure of Rs. 50 lakhs was spent on capital works, i.e., productive works, and it will produce more income in the future than it has done in the past. We do not know what is the exact amount to be spent on the capital side, and I hope that next year, according to the expenditure, our income will increase highly.

I should like to make one more remark about the administration of forests. Instead of these forests being worked under Government servants, I would suggest that there should be a department simply to supervise the maintenance and up-keep of the forests, whereas the sale of timber should be auctioned, because if the sale is by auction, I feel sure that the income would go very high. Just now it is done by the Forest Department, and if the sale of timber were auctioned, I have every hope that the income would rise very high. Against this, it may be said that the contractor cannot know how much wood is to be cut. I say this can be easily done by directing the contractor to cut a certain number of trees only and not more. This is being done in the Indian States, where the system is working very successfully.

The next point that I wish to discuss is Irrigation. It is very pleasing to see that the irrigation works for which capital accounts are kept are paying well. The net income is Rs. 3,70,35,000. That works out to something like 17 per cent. on the capital total outlay. That I think is very creditable. But in connection with this irrigation, I wish to point out one thing to the Council and that is this that every year we are paying a very large amount of money up to the extent of Rs. 74,81,000 to the Central Government as interest on capital outlay. What I think, Sir, is that these canals have been working for at least over 10 years, and if we work out 17 per cent. income on the capital outlay, we have earned nearly 170 per cent. on the capital outlay. What surprises me is this that why has capital not been paid up in order to save us from paying interest which we are paying to the Central Government.

I wish to bring forward to the House one more point in connection with these canals, and that is this: We are hearing that there is to be a resettlement of the Lower Jhelum Canal. As I have just pointed out to the Council, the money that has been spent on the canals has paid us 17 per cent. on the capital outlay. So

where is the necessity of having a resettlement and of increasing the water-rate. There is bound to be a settlement in every district and it will involve a very large expenditure to assess the revenue in those districts. The question as to whether there should be a new settlement should not be on account of a certain period having expired, but whether it allows of a further increase in the land revenue or not, and moreover the land revenue that the Government is already realizing ought to be taken into consideration. At present the income, as I have remarked, is from 17 to 20 per cent. on the capital outlay, and still the land revenue is going on increasing every year. I want to suggest to the House that whenever there is a question of expenditure, they must be very careful to give their assent.

They should be very careful, because the burden will certainly fall upon the zamindars who already pay through the nose in the way of water-rates, etc. I wish to point out one thing in connection with these canals, and it is this that the system of distribution of water from canals ought to be further altered. We have noticed that the system of co-operation in banks has worked very successfully, and I suggest that in order to minimise the failures and the hardships created by the lowest staff of the Canal Department, certain distributaries or minors should be handed over to the zamindars who have to receive the water from them and they should themselves arrange the distribution of water, and in this way there would be no cause for hardship. I wish also to bring to the notice of the Hon'ble Member in charge of Irrigation for his consideration only one further point in connection with the canals, namely, regarding the Sindh Sagar Canal. There was an Act passed during the year 1902 called the Sindh Sagar Doab Colonisation Act of 1902. There are one or two sections in that Act which are rather unfair and which I hope first of all that the Government will take steps to repeal; and, if not, I hope that this Council will take steps to repeal those sections. One of those sec-

tions is section 6, by which it is provided that if two-thirds of the owners of a certain village agree to give up their land to the Government, then it should be *pro facto* taken for granted that the other one-third have also agreed to give up their land to the Government. I think, Sir, that this is a very unfair provision of law, and nobody should be forced to give up his property when he does not wish to do so, and moreover if it is a business concern and if all the canals work on business lines, and if this canal is also to be worked on business lines, where is the necessity of walking over the rural population in order to provide funds for the canal. I suggest, Sir, that the area through which it is intended to construct this canal is the poorest of the whole of the Province, except, perhaps, Rohrak and the eastern part. The question of the Sindh Sagar Canal has been hanging on for such a long time that people have been disappointed and they think that perhaps this canal will never be constructed. I suggest that if the Government has not sufficient capital to undertake the digging of this canal, why does it not allow the public to raise the funds to dig the canal? There can be no danger of loss. But to keep back the construction of this canal to the detriment of the people, who are mainly dependent on rain, is very unkind, uneconomical. The building of this canal is most important, and I think there ought to be some law laid down on the point that the construction of this canal should be immediately taken in hand in order to relieve the great distress prevailing in that part of the Province.

My next remarks will be on the Veterinary Department. I wish to point out that in each district there are usually only a few men of very ordinary ability and perhaps of no education at all. There may be say two or three in each district, who go about in the position of bailiffs or District Board servants going from village to village, having no knowledge of the diseases of animals or their cure. This Province, as far as



I understand, is divided into Veterinary circles for which there are probably Superintendents, each in charge of a circle. During my experience in the Shahpur District we had one certainly capable Indian Veterinary Officer who used to come round quite frequently and used to tour from village to village and talk with the zamindars direct and ask them as to what kind of diseases were prevalent in that area and how they could be prevented. But I am sorry to say that most of them when they go out touring think that the whole idea of touring is to get to the headquarters of the district and stay there three or four days at the dāk bungalow, call for the bailiffs, see them, and then return to their central headquarters. This is not the service which we expect from the Veterinary Department, and I hope that the Hon'ble Member in charge of the Veterinary Department will see that these Imperial Service officers go out touring from village to village and not to the headquarters of districts only. It is only by going to the villages that they can really find out the needs of the zamindars.

There are one or two items which I think are to be omitted, as it appears to be the policy of this Council that they should be considered when those items come for discussion. I will postpone their discussion till the particular grants are demanded.

In conclusion, I will appeal to this Council to exercise economy in whatever form possible, because this year, as they may have noticed, our expenditure has exceeded our income by about 50 lakhs, and the surplus now in our hands is under one crore of rupees. If we go on like this for another year, we are bound to have new taxation, and that taxation, as I have already suggested to this Council, will fall on the rural population, who are already very heavily taxed.

The Council adjourned for lunch.

Maulvi Muharram Ali, Ghishti (spoke in Urdu).—He thanked the Hon'ble Fin-

ance Member for having made the dry subject of the budget so interesting; and depended on his generosity to excuse them, if the Members made mistakes because they were only beginners. However, the fault was mainly the Government's. It had been said that the Council was then responsible; but the speaker said that it was the Government which was principally responsible. After referring to the limitations on the powers of the Council, he said that the greater the restrictions the greater was the responsibility of Government. Referring to the sum of a crore and-a-half that was in deposit with the Government of India the speaker said that their banker did not give them any interest unless they demanded the capital, nor did it return the deposit when asked to do so. This was, he said, a rather queer position. The Council had been told that the Punjab Government also borrowed from the Government of India. This, said the speaker, was not quite intelligible when the Punjab had such a large sum as deposit with the Government of India. All the same, the Member was glad that the Province was not in debt.

The Hon'ble Lala Harkishan Lal.—The Province is under debt of 22 crores.

Maulvi Muhammad Ali, Ghishti, continuing, said that the principal question before the Council was to consider from where money was to be obtained for the several improvements suggested by Members. The speaker thought that retrenchment was the only course open to them. This involved the more extensive employment of Indians in the higher services. The Member sympathised with the sufferings of rural classes; and said that *bandobast* literally meant "to imprison and tie up." Litigation was another cause of their troubles. He next referred to the corruption and bribery prevalent amongst the revenue, canal and other officials.

The speaker continuing referred to the tour of officials as another cause of rural discontent. Referring to the present education, he said that on the one hand



Mahatma Gandhi and people of his way of thinking considered that, education made Indians slaves, and that, on the other hand, a certain section of officials regarded education as the main spring of sedition and revolution. It was not for the speaker to defend or oppose either or both of these views; but in any case it was clear that there was something wrong with the present system of education. About female education, the speaker wanted it to be remembered that they had a large number of orthodox people whose susceptibilities ought not to be wounded.

The member proceeded to criticise the expenditure on the Publicity Committee, and said that non-official agencies were quite adequate to do the work of publicity. There were, he said few more moderate journalists than the Punjab journalists.

The Member appealed for economy.

**Khan Sahib Chaudhri Fazal Ali** (spoke in Urdu).—He emphasised the fact that lack of education was the main cause of the evils from which the rural population suffered. Colleges, he said, ought not to be located in large towns. He wanted more money to be spent on rural education. He next referred to bad sanitation and bad roads. Transport, he said, was difficult and more expensive in villages, as the result of which the agriculturists could not easily bring their produce to the best markets.

**Mr. P. J. Fagan.**—Sir, I think it would be convenient at this stage if I address a few remarks to the Council, more especially regarding the speech which we heard this morning from Mian Muhammad Shah Nawaz. The picture which he drew of the provisions of the budget was on the whole a somewhat gloomy one, and suggested or attempted to suggest that there was a tendency towards excessive expenditure. At the same time he found grounds for complaint that in certain directions the provision made, or the provision contemplated, was insufficient. I think he more especially insisted that the provision made for irrigation and irrigation works was inadequate, and he rather suggested in the

course of his speech that the representatives of the Government appear to have become oblivious of the necessity, the advantages and the benefits which this Province has derived, or can derive, from irrigation. He first referred, I think, to the case of the Upper Chenab Canal. He suggested that that portion of what is known as the Triple Project is not doing its share in bringing money to the coffers of the State, and I think he rather suggested that the working of that link of the Triple Project should be curtailed.

Well, Sir, it is essential to remember in this connection that the Triple Project consists of three links, the Upper Jhelum, the Upper Chenab, and the Lower Bari Doab, and it is quite impossible to assess the contribution of each of those links separately. The capacity of the Upper Jhelum Canal is far greater than is necessary merely for irrigating the areas immediately dependent on it, and the same applies more or less to the Upper Chenab section. The result is that no really fair estimate can be made unless all three links are considered together, and if that is done, the results shall be somewhat different to those on which the Member attempted to comment adversely. The irrigation from the whole project is in an undeveloped state, and it is developing yearly, and there is every reason to hope that by the time ten years expire, the whole project will be completely fulfilling the conditions which are laid down for the financial results which they have to secure.

In the second place, the Member referred at some length to what is known as the Thal project, or the Sindh Sagar Canal. He rather suggested that that project had been abandoned, or that its abandonment was contemplated, or that its completion at all events would be very unduly delayed. It will be convenient for me here to say very briefly what are the conditions which these large productive works have to satisfy. The main condition is that before they can be sanctioned, there should be very good ground for holding that at the expiry of ten years from the commence-

ment of construction they will be paying interest and more than the interest on the capital which has been borrowed for their construction. There are two or three projects at present in contemplation, and it is of course necessary in dealing with them and in deciding the order of their constructions that their financial prospects should be considered. I may say at once that the financial prospects of the Thal project are not so good as those of one or two others. I hope however that the Council will clearly understand that there is no idea whatsoever of abandoning the Thal project. The position at present is this. The whole area of which about two million acres will be irrigated by the projected canal is at present being surveyed on a scientific system with a view to facilitating the alignment of the canal, the survey of the soil for ascertaining its agricultural capacities, and its colonization. That is what has been actually undertaken on the spot, and the process is in course of completion. In addition to this, a project has been prepared for the actual canal, but some aspects of it are being reconsidered, I understand, at the suggestion of the Government of India. I hope therefore that Hon'ble Members will clearly understand that the project has not been abandoned, and that there is at present no intention whatever of abandoning it. Possibly its construction may be delayed for a few years, but that is a thing inevitable in dealing with these large projects, and the total of our projects at present cover a very large area of the Province. Then the Hon'ble Member went on to make some remarks on what is known as the Sindh Sagar Act, an Act relating to the waste lands of Sindh Sagar, which was passed in the year 1902 or thereabouts, and in referring to it he used the epithet 'iniquitous.' Well, Sir, I think that at a time like this, exception may fairly be taken to the use of a word like that without some statement of the grounds on which it is used. The position is this: at the first regular settlement of the former district of Bannu, and the adjacent districts, the large waste areas which were generally considered to

be Government lands with certain rights of grazing in favour of the people who owned them, were demarcated between the villages and the Government, and a very large area amounting to two million acres was included within the village boundaries. Later on what the idea of the Thal or Sindh Sagar Canal took some definite shape, it appears after discussion to be quite clear that, unless the mass of the waste land to be irrigated and colonized was at the disposal of Government, it would not be possible to guarantee the financial success of the scheme. While, if the restoration of the rights of the State could be carried out, the prospect of the early construction of the canal would be materially improved. I have already explained the financial requirements which one of these large schemes has to fulfil, and as I have stated it was anticipated that unless the Government could be put into a position by which it would be able to itself colonize large tracts of the area to be irrigated, the financial results of the scheme could not be guaranteed. Therefore as a preliminary condition to the construction of the canal and consequent irrigation, not only of lands which Government would acquire, but also of the extensive lands which would still remain with the zamindars, it was necessary to try and make some arrangement for acquiring large portions of this waste land which had been given away with what appears to be needless liberality. The Act was passed and agreements were taken under it from the people having interests therein. The position then is simply this. The Government said to the people, if you want a canal, we will make one for you, provided it can be a financial success, and it cannot be a financial success unless you agree to return to us certain areas of your waste land. If you are not in a position to do this, we cannot make the canal. That is the position and that was the agreement into which they entered. I venture to say that the word "iniquitous" is scarcely applicable to an arrangement carried out by Government for the direct benefit of the people of that part of the Province.

**Mian Muhammad Shah Nawaz.**—May I ask, Sir, who has broken the contract? Under the contract the Government was bound to construct at once.

**Mr. P. J. Fagan.**—Not at all. The contract was as I have stated. No land has yet been taken at all. When the construction of the canal is commenced, the waste lands will be taken under the agreement, and as soon as the canal begins irrigating, one-quarter will be returned to the people. No land whatever has been taken at present. The third project to which the Hon'ble Member referred is that known as the Haveli project, and I think he suggested that that also was likely to be delayed. Well, Sir, the Haveli project is one of three projects which are closely connected—of such magnitude are the irrigation developments which are contemplated that schemes which embrace areas near the hills are indissolubly connected with areas such as those on the Chenab towards the south-west of the Province. The object of the Haveli project is to utilize the waters of the river Chenab, and if taken by itself, that would tend to prejudice rights or claims to irrigation of certain canals lower down the river, between the junctions of the Chenab with the Sutlej and of the Sutlej with the Indus. So it comes about that until what is known as the Lower Sutlej Valley Project is carried out and weirs constructed on the Sutlej—with canals taking out on its right and left banks—the construction of the Haveli weir cannot be proceeded with. But there is no intention whatsoever of abandoning that project; and in fact it is a project the construction of which has to be and is being borne in mind in various directions connected with current land revenue administration.

Then I turn to the great Sutlej Valley Project. That is estimated to cost 14 crores of rupees and to irrigate 3½ million acres of land in British territory, as well as other areas in two States. It is, of course, as it stands the project of all the three which is most likely to be financially successful. Not only is it the most like-

ly to be financially successful, and therefore naturally entitled to some preference over the Sindh Sagar project, but further the project known as the Bakra Dam Project for holding up and utilizing the waters of the river Sutlej in its higher courses is intimately connected with it. By the Bakra Dam Project we hope to carry water to the hitherto arid wastes of Hissar, parts of Rohtak, and other tracts in that direction. But the Bakra Dam Project, cannot be proceeded with until progress has been made with the Lower Sutlej Valley Project, and that therefore is an additional reason for pressing on with the latter project, and the position regarding it is that the scheme has recently been submitted to the Government of India, and it is understood that its actual inception only awaits sanction from the Secretary of State, which it is hoped will shortly be received.

Sir, I have in these few remarks endeavoured to give a brief sketch of the irrigation development which are in contemplation in this Province, so that I trust that Hon'ble Members will not carry away from this Council that gloomy picture of passive insouciance regarding the necessity of irrigation which the Hon'ble Member's remarks seem to me rather calculated to convey.

I do not think, Sir, that there are many more remarks needed from me. The Hon'ble Member had something to say on the subject of land revenue assessment. In the course of those remarks he drew a rather gloomy picture of the Punjabi zamindar. He showed him to us sunk in poverty, borne down by taxation, engaged in a continual fight with seasonable and climatic adversities. Well, Sir, it seems to me that anybody who has had any acquaintance with the average Punjabi zamindar in his home will scarcely recognize that picture. The Hon'ble Member has to some extent himself supplied a correction of it. He referred in terms, I will not say, of admiration but, at all events, of a certain degree of restrained commendation to the pugnacious qualities of the Punjabi, more especially in the matter of litigation. His

commendation swelled almost into a tone of enthusiasm when he referred to the liberality with which the Punjabi zamindar is wont to reward the ever-ready services of that profession of which the Hon'ble Member is himself so distinguished an ornament. Well, Sir, I think that that enjoyment of litigation to which, it is true, he did not explicitly allude himself, that enjoyment of litigation which is not uncommon in this Province, is scarcely possible for a population sunk in poverty, borne down by taxation and scarcely able to keep body and soul together. That is not, I think, a fair picture of the Punjabi zamindar, but at the same time I wish to impress upon Hon'ble Members that Government and its officials who are responsible for such matters as land revenue assessment are honestly conscious of the real difficulties with which the Punjabi zamindar has to contend, and that Government and those officers are fully conscious of the necessity for moderation in the matter of land revenue assessment. Our policy is always to proportion, as far as possible, the burden to the capacity to bear it. In large tracts of the Province the demand is, as you know, fluctuating, paid according to the results of the harvest, and in those tracts where the land revenue demand is fixed, it is tempered by liberal suspensions in times of adverse seasons and lean years.

The Hon'ble Member also referred to the subject of Excise, which has recently fallen within the scope of my duties. His treatment of it was somewhat superficial, naturally so as time is short, but I do not think anything in the way of an elaborate reply is needed from me. The general

burden of his remarks, as I understood them, was that he deprecated excise revenue altogether. Well, Sir, so long as people will persist in using intoxicating liquors, excise revenue is inevitable. It is a form of taxation perfectly defensible both on fiscal and on other grounds, and it is a form of taxation which is to be found in every country of the world which has a regular system of finance and taxation. It is in fact a tax on luxuries, and it has the effect, not only a perfectly legitimate effect of providing income for the State, but also the effect of checking and restraining consumption. When people cease to drink, the excise income will come to an end, but that day I fear is somewhat distant.

Sir, I do not think I need make any more remarks. I trust that the explanations given by me will remove the misunderstandings.

**The Hon'ble the President.**—Before the Council is adjourned I will draw the attention of Members to the agenda of the 2nd March, which is now in their hands. Members will notice that there are several resolutions to be moved on that day. To-day is the 28th and the amendments, if any, should have been put in to-day. But as the time is rather short, I shall accept the amendments up to 12 o'clock to-morrow morning.

To-morrow is the last day for any notices with regard to omissions or reductions of grants to be taken up by the Council on the 3rd March 1921.

The Council will meet again at 10-30 to-morrow morning.

## PUNJAB LEGISLATIVE COUNCIL

Tuesday, 1st March 1921.

The Council met at the Council Chamber at half-past ten of the clock. The Hon'ble the President in the Chair.

### QUESTIONS AND ANSWERS.

#### CATTLE-BREEDING.

**91. Rai Bahadur Lala Sewak Ram.**—In order to encourage cattle-breeding has Government in view the desirability of making some concessions by remission of water-rates and land revenue where land is set apart in an estate for pasturage by village communities or individual land-owners?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—No such scheme is under the consideration of Government, but the suggestion will be considered.

#### CANAL CLOSURES.

**92. Rai Bahadur Lala Sewak Ram.**—In view of the fact that no regular notice of canal closures or anticipated shortage of supply is given to the irrigators, will Government be pleased to consider the desirability of giving such notices so that the zamindar may regulate his arrangements of irrigation accordingly?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Notice of the annual closures is given, a month previous to the closure, in the English and Vernacular editions of the *Punjab Gazette*.

This annual closure is only made if weather permits.

As regards the frequent short rotational closures in the winter season, the following orders have been issued by the Chief Engineer:—

"In advance of each Rabi season a time-table or programme of periods of rotational flow for each canal should be

prepared by Superintending Engineers and, when approved by Chief Engineer, issued authoritatively. A copy of this time-table should be issued as early as possible to all Canal Executive Engineers and Sub-Divisional Officers and to the Deputy Commissioner of each district. The Canal Sub-Divisional Officers should extract therefrom the information applicable to their respective Sub-Divisions and communicate the same to every Zilladar under them. The Zilladar in turn must inform each of his Patwaris, and inform the latter to post up in the guest-house of his head-quarters village a notice intimating the probable dates on or between which each Distributary in his charge will be in flow. The canal-head time-table must of course be understood to be liable to revision like a Railway time-table, without notice; but as a rule changes in it should be foreseen and notified as long in advance as possible."

#### KATCHA EARTHWORKS ON BRIDGES.

**93. Rai Bahadur Lala Sewak Ram.**—Is the Government aware that considerable inconvenience is caused by katcha earth-work ramps on bridges constructed by Canal Department resulting in serious accidents to bullock carts and to their drivers? Has Government taken any measures to remove this inconvenience?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Ramps to canal bridges are properly graded and consolidated in the first instance, and are subsequently maintained in good repair and

metalled where the necessity is properly established.

Cases of accidents are not unknown, but they have been due to the carelessness of the drivers and not to faulty construction or maintenance.

### MARTIAL-LAW CONVICTS.

**109. Mian Muhammad Shah Nawaz.**—Will Government be pleased to lay on the table a statement showing—

- (a) the names, with parentage and residence, of Martial-Law convicts who are still in Jail;
- (b) the name of Trial Judge or Trial Magistrate in each case;
- (c) the nature of offence and sentence awarded in each case?

**The Hon'ble Sir John Maynard.**—The statement laid on the table with my answer to question No. 141 asked by Maulvi Muharram Ali, Chishti, gives the information required. It does not appear to Government to be proper to append to the statement the names of the presiding officers of the Courts concerned.

### REVISION OF THE SENTENCES OF MARTIAL-LAW COURTS.

**110. Mian Muhammad Shah Nawaz.**—Will Government be pleased to lay on the table the report made by the Committee composed of the Hon'ble Mr. Justice Chevis and the Hon'ble Mr. Justice B. K. Mullick who were appointed to examine the records of all Martial-Law prisoners, and state what action was taken thereon?

**The Hon'ble Sir John Maynard.**—The report referred to was made by the Reviewing Judges for the assistance of the Government of India and this Government has no authority to publish it.

As stated in a Press *Communiqué*, dated the 2nd January 1920, in consequence of the recommendations made by

the Hon'ble Judges, 97 prisoners, who had received sentences from the Summary Courts established to deal with cases arising out of the disturbances, were released.

As regards the cases which were tried by the Martial-Law Commissions the Judges recommended release in 10 cases.

These recommendations were accepted and given effect to.

### DISTURBANCES OF APRIL 1919.

**111. Mian Muhammad Shah Nawaz.**—Will Government be pleased to state the names of the Europeans and the Indians who were compensated in consequence of disturbances of April 1919 and the amount of compensation claimed by and paid to each person?

**The Hon'ble Sir John Maynard.**—A statement\* giving the names of Europeans and Indians who were compensated in consequence of the disturbances of 1919, together with the amount sanctioned in each case, is laid on the table.

Figures of claims preferred by each individual are not available in all cases, and this information will be asked for from the District Magistrates if the Member desires.

### FRONTIER CRIMES REGULATION.

**112. Mian Muhammad Shah Nawaz.**—Will Government be pleased to lay on the table a statement showing from 1st January 1916 to 31st December 1920—

- (a) the number of accused persons who were convicted on report of the Council of Elders under the Frontier Crimes Regulation, 1901, by the District Magistrate of each of the districts of Dera Ghazi Khan, Mianwali and Leiah Tahsil of District Muzaffargarh,

\*Statement not printed.



(b) the nature of offence and sentence awarded in each case,

(c) the number of cases in which convictions were set aside and prisoners were released by the Commissioner on revision side, there being no right of appeal?

Is it a fact that Legal Practitioners are not permitted to defend the accused persons in trials held by the Council of Elders under the Frontier Crimes Regulation, 1901?

**The Hon'ble Sir John Maynard.**—

(a) The number of accused persons who were convicted on report of the Council of Elders under the Frontier Crimes Regulation, 1901, in Dera Ghazi Khan District, Leiah Tahsil of Muzaffargarh District, and Mianwali District is 945, 122 and 126, respectively.

(b) Statements\* are laid on the table showing the nature of offence and sentence awarded in each case.

(c) In 51 revision cases in the Dera Ghazi Khan District and Leiah Tahsil of Muzaffargarh District convictions were set aside by the Commissioner, Multan Division, while the Commissioner, Rawalpindi, set aside conviction in one revision case in the Mianwali District.

It is true that Legal Practitioners are not permitted to defend the accused persons in trials held by the Council of Elders under the Frontier Crimes Regulation, 1901.

#### APPOINTMENT OF JUDICIAL OFFICERS FROM THE BAR.

**113. Mian Muhammad Shah Nawaz.**—

Will Government be pleased to state whether it is proposed to give effect to the recommendations made by the Public Services Commission for the appointment of superior Judicial Officers from the Bar? If so, will Government be pleased to lay on the table the rules regulating the emoluments, promotion, and pension of such officers, and state when these appointments are likely to be made?

**Mr. C. M. King.**—In accordance with the recommendations made by the Public Services Commission and with the sanction of the Secretary of State, it is proposed to appoint shortly two gentlemen from the Bar to be District and Sessions Judges. The gentlemen selected will be on probation in the first instance, and will receive an initial pay of Rs. 1,500 per mensem (inclusive of judicial pay) rising by the annual increments sanctioned for officers of the Indian Civil Service, who draw similar pay. A copy of the time-scale\* of pay in force is laid on the table.

The question of the pensions to be assigned to these recruits is still under the consideration of the Government of India.

#### PRIMARY SCHOOLS.

**114. Mian Muhammad Shah Nawaz.**—

Will Government be pleased to lay on the table a statement showing in each district of the Punjab—

(a) the number of primary and secondary schools,

(b) the number of hospitals and dispensaries,

(c) the number of rest-houses for the convenience of Government officials,

(d) the total population according to the last Census Report,

(e) the total amount of land revenue, local rates and water-rates realised from each district during the last three financial years?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(a) The number of primary schools in each district is ascertainable from General Table XII attached to the Report on the Progress of Education in the Punjab for the year 1919-20, which can be obtained from all agents for the sale of Punjab Government publications. A list is laid on the table of the number of secondary schools in each district.

(b) A list of hospitals and dispensaries, by districts, will be found in statement B of the Triennial Report of the Working of the Charitable Dispensaries in the Punjab, published in 1920, and procurable from all agents for the sale of Punjab Government publications.

(c) A list of rest-houses\* is laid on the table which is compiled from the latest records available in the Public Works Department.

(d) The total population of each district according to the last Census Report will be found in table I of part II of the last Census Report which is procurable from all agents for the sale of Punjab Government publications.

(e) The total amount of land revenue and local rates realised during the last 3 years in each district will be found in statement V of the Land Revenue Administration Report, statement II of the Report on the Working of the District Boards. The total amount of water-rates similarly recovered on each canal will be found in statement I (c) of the Administration Report of the Irrigation Department. In the case of the first-named report the year concerned is the agricultural, and in the two last it is the financial year. All these reports are obtainable from the agents for the sale of Punjab Government publications.

#### REVISION OF ASSESSMENT IN LYALLPUR.

115. Mian Muhammad Shah Nawaz.—(a) Is it a fact that the Government has decided to revise the assessment of villages commanded by the Jhang Branch Canal in the district of Lyallpur? If so, will Government be pleased to lay on the table the forecast report?

(b) Is it a fact that the Lower Chenab Canal has been paying over 40 per cent. profits on capital outlay for the last several years?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—(a) The answer is in the affirmative. The forecast report\* is laid on the table.

(b) The net profit earned by the Lower Chenab Canal after defraying interest charges on an average for the last 10 years was 36.39 per cent. of the total capital outlay, but if indirect receipts from land revenue, etc., be excluded, the direct receipts from water-rates alone yielded 16.56 per cent.

Mian Muhammad Shah Nawaz.—I must ask for fact that the Lower Chenab Canal is yielding at present 43.85 per cent. on the capital outlay?

Malik Firoz Khan.—I must ask for notice of that question.

#### REVISION OF SETTLEMENT OF THE MUZAFFARGARH DISTRICT.

116. Mian Muhammad Shah Nawaz.—Is it a fact that the Government has decided to revise the settlement of Muzaffargarh District? If so, will Government be pleased to lay on the table the forecast report?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—The reply to the question is in the affirmative. A copy of the forecast report\* is laid on the table.

#### BEGAR.

117. Mian Muhammad Shah Nawaz.—Is it a fact that a regular *Begar* system prevails in the district of Dera Ghazi Khan which enables the Government indirectly to employ forced labour?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—The answer to the question is in the negative.

#### REMISSION OF LAND REVENUE ON THE LOWER CHENAB CANAL.

118. Mian Muhammad Shah Nawaz.—Will Government be pleased to state whether it is true that in tracts recently irrigated by Lower Chenab and Upper

\*Not printed.

Chenab Canals, where the fluctuating system of land revenue prevails, remissions of land revenue and *abiana* are granted for crops failed on the Lower Chenab Canal, but only remission of *abiana* and not of land revenue for crops failed on Upper Chenab Canal? If so, what are the reasons for this differentiation?

Has remission of land revenue ever been granted in tracts irrigated by the Upper Chenab Canal subject to fluctuating assessments?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—For lands irrigated by the Lower Chenab Canal the general rule is that the assessment of fluctuating land revenue and of occupiers' rates or *abiana* is made on the area sown. For failures beyond the control of the cultivator, which are so complete that he recovers nothing beyond the seed and the bare cost of cultivation, remission of both classes of demand is permissible. In certain estates, however, where the water-supply is precarious and unsatisfactory, a fuller degree of fluctuation in demand obtains and proportionate remissions of both classes of demand are allowed according to a definite scale of outturn.

On the Upper Chenab Canal the same system obtains generally with certain local exceptions comprising portions of the Pasrur Tahsil of the Sialkot District and of the southern portion of the Sheikhupura District where the assessment of land revenue is, as sanctioned at settlement, on an entirely fluctuating basis. In these cases land revenue is remissible for partial failure. The answer to the last part of the question is in the affirmative.

**Diwan Bahadur Raja Narendra Nath.**—What are the reasons for differentiation between the system prevailing on the Upper and on the Lower Chenab Canals?

**Malik Firoz Khan.**—We shall have to get the information from the Department concerned, and I must ask for a notice of the question.

## METALLING OF NIAZBEG RAJBAHA.

**119. Mian Muhammad Shah Nawaz.**—Will Government be pleased to state whether before the commencement of the War the metalling of the right bank of Niazbeg Rajbaha from Ichhra to Niazbeg Bridge was sanctioned, but was put off on account of the War? If so, when is it intended to revive that proposal?

**The Hon'ble Lala Harkishan Lal.**—The answer is in the negative. The second part of the question does not arise.

## CURRICULUM OF SCHOOLS.

**120. Khan Sahib Chaudhri Fazl Ali.**—(a) Does the Government realise that the existing curriculum of the schools in the Province being defective in some respects does not adequately meet the requirements of the time, and (b) if so, will the Government be pleased to take, as soon as possible, suitable measures for its improvements?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(a) Yes.

(b) The curricula for primary and secondary schools are under revision.

## WATER-LOGGING IN GUJRAT.

**121. Khan Sahib Chaudhri Fazl Ali.**—Is the Government aware of the deplorable condition of those people of Gujrat District who have been rendered homeless by the 'Sema' (water-logging) in the main Upper Jhelum Canal, and has it any scheme in contemplation to save them from further ruin?

If so, will the Government be pleased to lay on the table such papers as might contain plans for the amelioration of their condition?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Government is aware of the conditions in the water-logged tracts of the Gujrat District.

Drains have been dug in these tracts, and the Chief Engineer has lately personally inspected these tracts, as a result of which further measures, in the way of improving the drainage system, are being taken.

Also the question of lowering the level of the canal has been taken up, with a view to decreasing percolation from the canal.

The correspondence and plans regarding water-logging on the Upper Jhelum Canal are being printed and will be laid on the table when ready.

### MARTIAL-LAW PRISONERS.

**122. Lala Atma Ram.**—Is the Government aware that the Martial-Law prisoners, notwithstanding their conviction by the Martial-Law Courts, are still regarded as innocent by a large section of the people of the Punjab? In view of this feeling, and in order to allay the public excitement and discontent, will the Government be pleased immediately to amnesty the rest of the Martial-Law prisoners who are still undergoing their sentences?

**The Hon'ble Sir John Maynard.**—Government is aware that the view in question is held by a certain number of persons. All these cases have however been reviewed by Government more than once, both before and since the careful review made by the Reviewing Judges. In view of the seriousness of the offences and the present conditions in the Province, an amnesty of the kind suggested in this question cannot be considered by Government.

**123. Lala Atma Ram.**—(i) Is the Government aware that the official *communiqué* issued by it regarding the treatment of Martial-Law prisoners has not given complete satisfaction to its critics?

(ii) Will the Government be pleased now to constitute a committee of the non-official elected Members of this Council to inquire into these complaints?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Malithia.**—(i) The answer is in the negative.

(ii) As non-official visitors have been appointed for all the central jails, and for several other jails Government considers that no useful purpose would be served by the appointment of the committee asked for. If prisoners would bring their complaints to the notice of the officers of the jail or of the non-official visitors, these would receive prompt attention and every endeavour would be made to remove any just ground for complaint.

### MAGHI RAM'S COMPLAINT.

**124. Lala Atma Ram.**—Has the attention of the Government been drawn to the letter of Lala Maghi Ram, appeal-writer, published in the *Bande Matram* of 18th January 1921, and the resolution of Ludhiana Bar Association reported in the *Tribune* of January 28th, 1921?

Are the Government prepared immediately to suspend or transfer to some other district the Sub-Inspector referred to pending the investigation of the allegations made against him?

**The Hon'ble Sir John Maynard.**—(a) Government has seen the communication referred to by the questioner.

(b) The Sub-Inspector against whom the allegations have been made has been suspended pending enquiry.

### NON-OFFICIAL PRESIDENTS OF LOCAL BODIES.

**125. Lala Atma Ram.**—Will the Government state how many local bodies in the Punjab have got non-officials as their Presidents? Will the Government be now pleased to concede the right of electing non-official Presidents to all local bodies without exception?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Non-officials are Presidents of 24 Municipal Committees, but no District Board has a non-official Chairman. With the exception of six

Municipal Committees, the removal of whose disabilities is under consideration, all committees are empowered to select their own Presidents. On more than one occasion Government has indicated its desire that greater use should be made of this power, and it has recently, in a circular letter No. 2266, dated the 21st January 1921, asked Commissioners to see that all committees are made acquainted with their title to select non-official Presidents. In the matter of District Boards, Government in 1918 suggested the experimental appointment in the more progressive districts of non-official Chairmen. The Boards themselves were against the proposal. Government, however, while not wishing to force a change on the Boards, again asked Commissioners to consider the advisability of abrogating in 6 districts of the Province the rule which requires the Deputy Commissioner to be Chairman. Government intends to introduce legislation on the subject during the course of this year, and so considers it unnecessary to change the rules now.

### INDIAN COW CONFERENCE.

**126. Lala Atma Ram.**—Has the attention of the Hon'ble Minister for Agriculture been drawn to resolution No. 2 passed by the All-India Cow Conference held at Nagpur in December 1920 and reported in the *Tribune* of 20th January 1921? What action, if any, would he like to take to give effect to that resolution?

Will he issue instructions to all the Revenue Officers to disallow partition of common lands reserved for pasture?

**The Hon'ble Lala Harkishan Lal.**—  
(a) Government has seen the resolution referred to. With the first part of it, urging landowners and tenants to make provision for adequate pasture, it is not directly concerned. The last part of it urges Government to provide large areas of pastures at the expense, if necessary, of the forest reserve and to encourage good breeding.

Government is anxious to take any measures that are likely to increase and improve the cattle of the Province and has in the most recent colony, the Lower Bari

Doab Canal, devoted some 17,500 acres to cattle farms in addition to a pre-existing farm of 2,300 acres in the Montgomery District; there is reason to doubt whether the mere provision of grazing lands would contribute to a solution of the problem.

Government has already under consideration a scheme for systematic and scientific breeding of cattle throughout the Province.

(b) It is not the general practice to divide common lands used for pasture, and no special instructions need be issued.

### SCARCITY IN SIRSA.

**127. Lala Atma Ram.**—Is the Government aware that in the last decade there were four years of scarcity in the Sirsa Tahsil, District Hissar? In view of this, will the Government be pleased to keep in mind the claims of the Sirsa Tahsil for priority in any future scheme of irrigation?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—During the last decade there appear to have been only three years, namely, 1911-12, 1915-16 and 1918-19, in which there was serious failure of the harvest. The claims of the Sirsa Tahsil for priority in any future scheme of irrigation will be borne in mind.

### APPOINTMENTS IN THE MEDICAL COLLEGE.

**128. Maulvi Muharram Ali, Chishti.**—Has the attention of the Government been invited to the two leaderettes on the 1st page of the *Tribune*, dated 6th February 1921, as regards professional appointments in the Medical College, Lahore?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Yes.

**129. Maulvi Muharram Ali, Chishti.**—If the answer to the preceding question is in the affirmative, will the Government be pleased to state—

(a) How long a time has elapsed since Dr. Caleb retired from Medical Service?

- (b) Has not any Indian been appointed as a Professor in the Medical College permanently up to this time?
- (c) Is there no statutory or departmental reservation in favour of the appointment of a competent Indian as such to one of the professorial chairs in the Lahore Medical College?
- (d) Does there exist a sort of tacit understanding that at least one of these prize posts in the I. M. S. should be filled by an Indian?
- (e) Does the Government contemplate the advisability of reserving, at least, half the number of these prize posts for competent Indians.
- (f) Will the Government be pleased to consider the claims of the competent persons in the Provincial Medical Service to fill some of these posts?
- (g) Is the Government aware of the fact that the principle has been recognized in the case of the comparatively newly started Medical College at Lucknow?
- (h) Were there any arrangements regarding the proposed appointment of Rai Bahadur Pandit Bal Kishan Kaul and have they fallen through? If so, on what grounds?

**The Hon'ble Khan Bahadur Mian Fazli-Husain.**—(a) Doctor Caleb has not yet retired from the service.

(b) and (c) The answers are in the negative.

(d) There is no such tacit understanding, but Government has already decided so to fill the chair of Anatomy during a temporary vacancy which will shortly occur.

(e) No; but competent Indians eligible for the posts will have their claims fully appreciated.

(f) Government does not accept the principle of filling some of these posts by competent members of the Provincial Medical Service. The most competent and in all respects suitable candidate would naturally be the one approved by the Government of India for each individual chair.

(g) Government has no information on the subject.

(h) No such arrangements existed nor were they contemplated. Rai Bahadur Pandit Bal Kishan Kaul retired from Government service on the 24th November 1919 on grounds of ill-health.

#### LAHORE POSTAL ARRANGEMENTS.

**130. Maulvi Muharram Ali, Chishti.**—Has the attention of the Government been drawn to a communication headed "Lahore Postal Arrangements," published on the 8th page of the *Tribune*, dated the 23rd January 1921, by a responsible gentleman? If so, what step has the Government taken or does it contemplate to take in order to remove the grievances complained therein as regards the delay in the delivery of the letters and misdelivery of letters and the inconvenience caused to the public in case of money orders and registered letters?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The attention of the Government has been drawn to the extract referred to in the question. The matter will be brought to the notice of the Postmaster-General, but it is pointed out that the Postal Department is a Central department under the control of the Government of India and not under the control of the Punjab Government.

#### RAILWAY ADMINISTRATION.

**131. Maulvi Muharram Ali, Chishti.**—Has the attention of the Government been drawn to a communication signed by Khan Bahadur Sayad Hassan Bakhsh,



Gardezi, of Multan, published on the 8th page of the *Tribune*, dated 28th January 1921, headed "Railway Travelling"? If so, has the Government taken any step or does it contemplate to take any action in the matter in order to remove the grievances complained of, as regards the unsatisfactory arrangements in the Railway Administration and also the indifference of the Railway officials in their duty to meet the convenience of the passengers?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The reply to the first part of the question is in the affirmative. It has been ascertained that an identical letter appearing in the *Pioneer* of the 28th January 1921, over the signature of Khan Bahadur Sayad Hassan Bakhsh, Gardezi, received the attention of the Agent, North-Western Railway, and enquiry was at once instituted under his orders into the complaint with a view to steps being taken to the avoidance of such inconvenience to the passengers in future.

The discomfort experienced by the writer of the letter is regretted.

#### EXPORT OF WHEAT AND SUGAR.

**132. Maulvi Muharram Ali, Chishti.**—Will the Government be pleased to lay on the table a return showing the quantity of wheat and sugar (each article separately) produced in the Punjab in the last ten years, beginning from 1910 (as regards each year separately), and also showing separately the quantity of wheat and sugar which has been exported to foreign countries in the same years (as regards each year separately).

**The Hon'ble Lala Harkishan Lal.**—No figures are available showing the quantities of sugar and wheat that have been exported from the Punjab to foreign countries in each of the last ten years: the trade returns only show exports to places in British India including the seaport towns, from which of course much Punjab wheat is exported overseas in ordinary years. But a return\* is laid on the table

showing for sugar and wheat (including flour), the provincial production, the imports into, and exports from, the Province, and the net imports (that is, after deducting Provincial exports) in the case of sugar, and net exports (that is, after deducting Provincial imports) in the case of wheat. The figures are for each of the last ten years separately and are compiled from the railway returns.

**Maulvi Muharram Ali, Chishti.**—Is it contemplated to provide such a return in the future years?

**The Hon'ble Lala Harkishan Lal.**—No.

#### EXPORT OF GHI.

**133. Maulvi Muharram Ali, Chishti.**—Will the Government be pleased to lay on the table a return showing the quantity of ghi exported from the Punjab to outside British India in the last ten years (beginning from 1910) in respect of each year separately?

**The Hon'ble Lala Harkishan Lal.**—No figures are available to show how much ghi has been exported from the Punjab to places outside British India during each of the last ten years. A statement is, however, laid on the table showing the imports and exports by rail of ghi from and to the Province in each of those years.

#### EXTENSION OF SEDITIONOUS MEETINGS ACT TO JULLUNDUR.

**134. Maulvi Muharram Ali, Chishti.**—With reference to the suggestions made in paragraph 6 of the Joint Committee's Report contemplating the advisability of "carefully fostering the habit of joint deliberation between the Members of the (Executive) Council and the Ministers, sitting under the Chairmanship of the Governor" in certain "matters of administrative business," did the Government consider the advisability of consulting the Punjab Ministers in the matter of the extension of the Seditious Meetings Act to Jullundur? As contemplated

ed in the Joint Committee's Report, will the Government be pleased to "state in definite terms" on whom the responsibility for the action lies?

**The Hon'ble Sir John Maynard.**—The questioner is referred to the reply given to question No. 21 by Diwan Bahadur Raja Narendra Nath. The responsibility for the action taken on a reserved subject lies entirely on the Governor in Council, whether the Ministers are or are not consulted in regard to it.

#### LALA AMRIK RAI'S WIFE'S COMPLAINT.

**135. Maulvi Muharram Ali, Chishti.**—Has the attention of the Government been drawn to a letter, published on the 2nd page of the *Partap* of Lahore, dated the 31st January 1921, on behalf of the wife of one Lala Amrik Rai, son of Narpal Rai, caste Chopra (resident of Gujranwala), who was sentenced to 10 years' imprisonment under the Martial Law? If so, what action has been taken by the Government in the matter?

**The Hon'ble Sir John Maynard.**—The attention of Government has been drawn to the letter referred to in this question.

Lala Amrik Rai was convicted in connection with the riotous assaults on public officers and the burning of public buildings in the city of Gujranwala. He was found to be the most active and energetic leader of the mob, "first in instigation and first in each violent act," and was sentenced to death and forfeiture of property. These and all other cases were carefully revised and the sentence of Lala Amrik Rai was reduced to 10 years' rigorous imprisonment. It was held to be of too serious a character for any further clemency to be exercised in respect to it.

#### GENERAL DISCUSSION OF BUDGET.

**Lala Atma Ram.**—Sir, I beg leave to associate myself whole-heartedly with the other Members in congratulating the

Hon'ble Member for Finance for presenting a well-considered Financial Statement.

If I say anything on the subject, I shall be simply repeating what has already been said by others.

However I wish to bring two or three points to your special notice.

The first thing is the encouragement for the study of indigenous system of medicine. I have gone through the whole of the Financial Statement, but have not come across any item which is provided for the study of indigenous system of medicine. When I say that the Government should encourage the indigenous system of medicine I do not mean that I hate English medicines. What I mean to say, Sir, is that Indians, so far as their habit, temperament and physical constitution are concerned, are different from their European brethren. The indigenous drugs and medicines, if properly applied, are better suited to Indians and they are at the same time cheaper in cost.

I hope the Government will kindly consider this question and establish a College imparting indigenous system of medical education.

I may add that the Government should also remove the disabilities which are placed on the practitioners of indigenous medicine. If a properly qualified Vaid or Hakim grants a medical certificate to his patients, I see no reason why this should not be recognized. The local bodies should be allowed to employ Vaidas and Hakims in the dispensaries under their control. The next object which requires our attention is the encouragement and promotion of local industries. It is an undisputed fact that in old days India was very rich in her industrial arts. There was a time when Dacca muslin was very much admired and worn by Indian and European ladies. There was a time when Mirzapur carpets were admired for their fast bright colour. But now these things which were once common in the market are only to be seen in museums. When I say that the Indian industry

should be restored, I do not mean in any way to disparage the foreign goods.

What I mean to say, Sir, is that in order to make India stand upon her own legs, it is necessary that we should revive her old industry. I have one more point to refer to, and that is the lack of education in the masses. I differ from my friends who prefer sanitation to education. To me education is more important than sanitation is.

I am sure most of the Members present here know the proverb, "When wealth is lost nothing is lost, when health is lost something is lost, but when character is lost everything is lost."

In other words, education which helps a good deal in forming one's character is the most essential thing for a human being.

As has already been said, it is a sheer impossibility to educate the masses unless education among them is made free and compulsory, and that is possible only if we manage to provide funds for it.

**Rai Bahadur Lala Hari Chand** spoke in Urdu as follows:—I congratulate the Hon'ble Finance Member for the lucid statement presented by him. I am afraid we shall have to resort to fresh taxation if we do not economise, and it is for this reason that I am strongly opposed to the expenditure of large sums of money on buildings.

The Council is, of course, helpless with regard to the increase in the salaries of officials.

I have seen a note in the *Tribune* about the pay of the Deputy President, and I understand some individuals have taken exception to the withdrawal of my amendment to the Deputy President's Salary Bill. But I may explain here that I withdrew my amendment on the understanding that the Deputy President would not accept any salary. I would appeal to Sardar Bahadur Mehtab Singh to consent to work free.

I strongly advocate an increase in expenditure on female education as public opinion is very much in its favour.

Although education is a very important thing, and it is necessary that the State should do all it can to promote education, but sanitation is a still more important question as a diseased person cannot be cured by education.

**The Hon'ble the President.**—The Hon'ble Member is hardly speaking on the budget. He should link his remarks on to the budget. He can do this by saying that insufficient money has been provided for education or sanitation or both, but he should not discuss whether education is good or sanitation is good.

**Rai Bahadur Lala Hari Chand.**—You will excuse me, Sir. I am arguing in connection with economy. My point is that money can be saved if the Unanis and Vaidis are engaged. So my remarks are in connection with the budget.

**The Hon'ble the President.**—The Hon'ble Member should not argue with the chair. He can go on with his remarks.

**Rai Bahadur Lala Hari Chand.**—I do not want to argue anything more.

**Mian Ahmad Yar Khan, Daulatana.**—Sir, I think I have no reason to neglect a duty because every other speaker who has spoken before me has performed it. We owe a debt of gratitude to the Hon'ble the Finance Member for the trouble that he has taken in explaining to us the intricacies of the budget which but for his able and helpful guidance would have remained for many of us only a mysterious labyrinth of facts and figures. The master touches that made his opening remarks on the budget an interesting and instructive study were like fragrant oasis in a dry desert. For many of us who are sitting here for the first time the discussion of budget would afford a new and perhaps an interesting field for activities. I have tried to go through the stupendous volume of memoranda concerning the budget and have for myself come to the conclusion that I would rather postpone any definite discussion of the items till I have mastered the thing as an art or perhaps as a science. I have, however, few general re-

marks to make which I take the liberty of placing before you with a request that they may be shown the indulgence deserved by the sincere opinion of a layman. The constituency that I have the honour to represent is absolutely rural in character, and I should be pardoned if my observations on the budget are to some extent selfishly inclined towards the well-being and advancement of the rural classes.

The able way in which the interests of the rural areas have been advocated by my friend Malik Firoz Khan and other Members of the Council leave for me little to say.

The question of primary education, general health and sanitation of the zamindars have been very extensively and effectively discussed, but I think there yet remains a subject which should not be lost sight of in the discussion.

The general condition of a zamindar is no doubt, as Mr. Fagan has said, much better to-day than it was when his lands lay barren and dry. Irrigation has done much, and if all the projects now in contemplation are completed, they are expected to do more towards making the zamindar a prosperous citizen of the land of five rivers. But almost nothing has been done to make popular more scientific methods of cultivation in the Punjab and introduce the improved implements of cultivation into our agricultural spheres. If a farmer of Akbar's time or even of his predecessors of more ancient time were to be revived by a spell of magic and brought round our fields, he will surely have much ado in recognising his old place of birth-fields which decidedly are greener and vaster to-day, but will make out his birth-place by seeing his familiar implements of old. I think much remains to be done in this line, and if the Government can find their way to instituting a new item in the budget for rewarding agricultural research and encouraging scientific development of cultivation in any suitable manner, much good may be done.

Regarding the educational problems of this Province I feel a great satisfaction, and I think this satisfaction is shared by all my colleagues, for now the department

is in the care of a person who is familiar with his country's demands and knows how to supply them. I take this opportunity of assuring the Hon'ble Minister for Education that he would have the ready support of this Council in his future programme which surely will be directed to one great end of uprooting illiteracy and ignorance out of the soil of our Motherland.

I may mention that though only a feeble voice has tried to uphold the cause of a feeble sex—I mean the question of female education, as discussed by my friend Malik Firoz Khan—it would not lack the support of this Council for the mere reason that another Hon'ble Member has somewhat injudiciously tried to distort the real sense and put different colour to a sincere and just demand. When we talk of female education we use the term as interpreted by our religious heads and best brains of our own country. The daughters of to-day will be the mothers of to-morrow, and as their fathers we owe them some duties which, in their own turn, they have to perform with regard to the future generations of our land, for as Emerson has said "men are what their mothers made them," and as the great Napoleon has remarked, the future destiny of the child is always the work of the mother.

I hope the Government has not lost the memory of a railway line that existed some years ago between Kasur and Lodhran and which was at a time of need sacrificed for higher interests. The railless line still awaits with open arms and expectant eyes the steaming engine and the crowded trains which carried the people from far and near to the great and famous shrine of Hazrat Baba Farid Shakar Gunj at Pakpattan. Without that line we, the zamindars, are in very great trouble regarding our communications and are bearing a very great loss in exporting our produce. I am confident that the Government will urge the Government of India very strongly about this point. Need I say that the earlier this line is reinstated, the greater will be the gratitude of the people through whose lands this line passes and who belong mainly

to my constituency. I would avail myself of this opportunity and impress upon the Government that the long contemplated scheme of making Pakpattan the headquarters of a district with Dipalpur and Malsi as two subsidiary tahsils must be substantiated as soon as the funds allow. For these tahsils which are now separated by the demarcation of two different districts not only lie side by side but are akin in points of similarity regarding their language, customs, manners and relations. This will not only relieve the already overworked district officers of Multan but help the administration in doing spade work for the new canal project. We should, however, try to be very parsimonious this year for having indulged in charity a bit too extravagantly from financial standpoint, though not wrongly from political point of view, with regard to Amritsar indemnity, and we hope the Hon'ble the Finance Member who has viewed this question with remarkable sympathy and selflessness will try to find this money from amongst items which do not affect unfavourably the general well-being and advancement of this Province.

**Rai Sahib Lala Thakur Das.**—Sir, I beg to seek the indulgence of the Council for a few minutes. I am a business man, not accustomed to make speeches, but I have ventured to jot down a few ideas which have struck me in going through the budget estimates on the preparation of which the Hon'ble the Finance Member appears to have bestowed so much industry and ability. The clear and lucid explanations which accompany the various portions of the budget have, I make no doubt, proved helpful to the Members. The references to the great Hindu law-giver and jurist Manu was, I venture to submit, very impressive. Very appropriate and effective was that passage in the Hon'ble Member's speech which likened Government to the sun which absorbs moisture in the world only to return it in the shape of copious rain. Government is only the custodian of public funds which are to be spent to the best advantage of the people and in accordance with the advice of this Council which consists of Members elected by the people. No Council can wish for a

higher and more elevated ideal than that sketched by Sir John Maynard, and I assure the Hon'ble Finance Member that this Council thoroughly appreciates it and will act up to it in its deliberations.

Although our income has risen steadily from 4 or 5 crores and now amounts to 11 or 12 crores of rupees, I am afraid it is not possible to characterise the budget as a prosperity budget. A good part of the increased income has been utilised to raise the salaries of the employees in the various departments of the public service. No one can say that this expenditure was not necessary. Along with the general public the servants of Government have suffered on account of the heavy rise in the cost of living during the past five or six years. It is certainly gratifying to notice under the circumstances that an increased provision of 30 lakhs has been made under head "Education." This increased provision, however, is inadequate to meet the growing demands of the Province in the matter of education. Our Education Minister, whose keen interest in education we all know, and who is one of the foremost leaders of the people, cannot be unaware of the requirements of the Province in the matter of educational progress, and I can foresee his anxiety to do what he can to stimulate the progress of the scheme relating to free and compulsory primary education throughout the Province. I find that a provision of Rs. 45,000 has been made in the budget for improving the salaries of cashiers in Government treasuries. Those who come from the mofussal and especially from rural areas know that these officers do make a good deal more than their pay. I am aware of course that that is no cogent reason why their salaries should not be raised. That would, I fear, amount to a legalisation of bribery and corruption. But I venture to submit that it is not out of place to ask that before the salaries of these officers are raised some effective steps be taken to stop their illegal and illegitimate gains.

There is another provision the necessity of which I fail to understand. A provision of Rs. 92,926 has been made for the purchase of land to extend the Christian



cemetery in Lahore. The burial grounds of Muhammadans and the cremation grounds of Hindus and Sikhs do not involve any charge on public funds, and I fail to see why public funds should be spent on Christian cemeteries. These remarks apply also to another provision of Rs. 9,847 to provide a tube well in the Christian cemetery at Lahore. I look upon a tube well as a costly luxury which can be and should be avoided.

There are some other items also to which exception can be taken, and I intend to refer to them when discussing at length the budget or its various portions.

Before concluding my remarks I should like, Sir, with your permission to refer to a matter of considerable public importance. The Hon'ble the Finance Member perhaps is aware that Government has had often during the past ten years to grant suspensions or remissions of revenue in the tract of land bounded on the north by the Salt Range, on the south by Jhelum River, on the west by the Jhelum Tahsil, and on the east by the Khushab Tahsil. During the pre-British period the production of salt in the Punjab mines was not at all considerable. No scientific system of extracting salt was in force. In fact the method in force was a crude one. The geological survey of the Salt Range in the Punjab brought to light the fact that there was water at the foot of the salt mines. When salt mining began to be carried on on scientific principles it became necessary to construct a drainage tunnel, with the result that huge quantities of salt water spread over adjoining lands for several miles in the vicinity of the mines. The lands became barren and cultivation suffered grievously, with the result that large numbers of people deserted their homes and went to such far off places as Bikaner, Multan, Bahawalpur, Ajmer, Lyallpur and Sargodha. I wish to ask if it has occurred to Government that some compensation is due to those whose lands have been thus injuriously affected. I beg to submit that it is a matter eminently deserving of the consideration of Government. In order to produce good salt in addition to draining off water from the mines, large questions of what is called

impure or slack salt are thrown out and large quantities of these have accumulated, with the result that in the rains a large area of surrounding land is still more injuriously affected.

I wish also to point out before I sit down that the Jhelum District which has suffered heavily as explained by me is one of the most important areas for recruiting for the Army. During the late Great War this district furnished a very large number of recruits. Good many of those who have suffered on account of the self-extracting operations belong to the families who furnish soldiers for the Army and their hard case is certainly deserving of the consideration of Government.

I refrain from pursuing the subject further, as it is my intention, Sir, with your kind permission, later on to move a resolution on the subject.

**Mr. Nawab Din, Murad.**—I must thank the Hon'ble the Finance Member for making this arduous task of Finance a pleasant one for the deliberations of this Council.

I quite agree with the majority of the Members of this Council that we require compulsory education in this Province. I also agree that we are in urgent need of having medical equipment throughout the Province. But there is another equally important need which is quite neglected and to which the attention of this Council is not drawn. That is the question of metalled roads throughout the Province. The figures which I find in the statement of the budget are not encouraging. Under the head "Civil Works, No. 41" I find that budget estimate for the year 1920-21 was Rs. 15,66,000 for Civil Works. Revised estimate for the year 1920-21 was reduced to Rs. 10,79,000, while the actually spent amount was Rs. 12,29,000. Now estimate for this year, i.e., 1921-22, is given as Rs. 16,56,000. But I find at the bottom of this statement that it is suggested by the Finance Member that in case we do not impose indemnity on the inhabitants of Amritsar, then we shall have to reduce one lakh out of this sum which is estimated for the year 1921-22; in other words, there will be only 15 lakhs and, as



compared with the previous year, there will be no increase in this item. Out of this 15 lakhs it is also stated that 5 lakhs will be reserved for the colony roads. After deducting the 5 lakhs reserved for the colony roads only 10 lakhs will be left. I therefore think that if we devote some larger amount to the construction of the roads in the Province, it means we will add to the prosperity of the Province. We will get more revenue, and we will be able to devote it to other items if we give free accessibilities to each part of the Province. The district where I come from occupies second or third place from revenue point of view among the District Boards. In that district, practically speaking, there is no road. The metalled roads in name we have got about 20 or 25 miles: but they are in such a wretched condition that we cannot properly call them by the name of roads. My suggestion, therefore, is that we should devote some more money to the construction of these metalled roads throughout the Province and especially in those districts where we have not got these roads in good condition. Every time when this question came up before the District Board the only reply given was that no funds were available to meet these necessities. In order to remove this difficulty I would suggest that we should take some money from other items. For instance, if there is some reduction in the amount proposed to be contributed towards Imperial funds, out of that sum we may devote some money for the construction of roads.

**Rai Bahadur Lala Sewak Ram.**—Sir, this Province is very lucky in having their finances in charge of one of the ablest members of the I. C. S. I agree with my learned colleagues in offering my congratulations for the trouble he has taken in the present budget.

It is proposed to spend 44½ lakhs more than our revenue in the current year.

Why should it be so; if we spend more than we make, the Province cannot prosper. The Council will be failing in its duty as a trustee if we do not try to make savings under different heads, so that there remains no deficit or very little remains.

If we carefully look at the statements at the end of the memorandum we come across several items which are not of an urgent nature and in which the Hon'ble the Finance Member might try to make some saving.

I beg to quote a few items, and beg to add that one who cannot afford luxuries need not think of them:—

*Page 120.*—1. *Constructing grain elevator at Lyallpur, Rs. 1,30,000.*—There does not appear to be any necessity of spending any more money on this.

2. *New police station at Ambala City, Rs. 30,000.*—Is it urgently required?

3. *Construction of hostel at Lawrence Asylum, 2 lakhs.*—I do not grudge this expenditure, but one lakh can be spent this year, one lakh can be provided in the next budget.

4. *Page 121.*—*Development of Brochurst Estate, 2 lakhs.*—What development of urgent nature is required?

5. *Buildings required for the new Sheikhupura District, 7 lakhs.*—I expect all this sum is not likely to be spent in one year, some saving can be shown there.

6. *Constructing Larji-Mandi Road, 3 lakhs.*—This is a very large sum; it is not essential to spend it; if this road is for military requirements, the Government of India might be requested to find money for its construction.

7. *Bungalows for Agricultural Department, Lyallpur, Rs. 46,000.*

8. *Constructing treasury buildings, Ambala, Rs. 50,000.*

9. *Acquisition of playing ground for Central Training College, 2 lakhs.*—Where is the necessity of such a luxury?

10. *Reclamation of cho beds, Rs. 56,500.*

11. *Expenditure of Forest Department, Rs. 1,86,000.*

12. *Substitution of town watchmen by regular police, Rs. 75,000.*—Where has this necessity arisen in municipalities and urban areas?

13. *Three additional Deputy Directors, Rs. 1,08,000.*—All the three appointments need not be made at once.

14. *Assistant to Agricultural Engineer, Rs. 10,800.*—There appears to be no need for such an assistant.

15. *Appointment of an Imperial cattle-breeding expert and his staff, Rs. 1,09,000.*—This is not an urgent requirement.

16. *Purchase of residences for Government officials, Rs. 75,000.*—Cannot private people build houses for them and charge rent same as Government?

17. *Acquisition of land for Sheikhpura District, Rs. 4,21,000.*—Is it that some of this land is to be auctioned again? If so, it will bring some return. Quite large sums of money over a lakh are set apart on page 9 of Appendix E for hill roads.

18. *Third storey to Ellerslie, Simla, Rs. 50,000.*—There would be no necessity for it, as exodus to the hills is not likely to be encouraged.

19. *Purchase of road rollers, one lakh,*

20. *Reserve for unforeseen requirements, 1½ lakhs,*

21. *Minor Works, 2 lakhs,*

22. *Remodelling High Court, 1 lakh,*

23. *Acquisition of land for Police Lines, Rs. 91,000,*

24. *Extension of Chemical Laboratory, Lyallpur, Rs. 18,300.*

25. *Dog kennels at Veterinary College, Rs. 9,000,*

26. *Construction of potyard in Lawrence Garden, Rs. 33,000,*

27. *Swimming tank at Lyallpur College, Rs. 21,000,*

are all such expenses which need not be done at once.

These, Sir, are few items out of this memorandum which will show the Council what a luxurious expenditure is being incurred by a bankrupt Province the

budget of which shows a deficit of 44½ lakhs. Would any one call us wise to spend all these sums under the present circumstances? It will be an unpleasant duty to refuse some grants.

Now comes the question of thinking the directions where we can make money:—

1. All canal plantations with miles and miles of timber and fuel at present bringing next to no return to Government may be handed over to Forest Department; they will bring a large income to Government.

2. The question of various canal projects which require immediate attention and will bring large income has already been dealt with by Mian Muhammad Shah Nawaz.

3. Veterinary and Fishery Departments can bring more money.

4. Turpentine factories are already suggested by a Member.

5. Although according to Lord Meston Committee's report we are supposed to pay 9 per cent. of our income as contribution to the Government of India, perhaps our deficit budget might appeal to Government of India to reduce it.

6. Expensive buildings fitted with fans and all the luxuries in towns need not be made.

7. Residential houses for Government officials be left to private enterprise. There is no reason why Government should build houses and charge less rent from officers who are well paid and get high salaries; if Government builds houses, full rent paying 6 per cent. interest be charged; concession in rent may be shown to subordinate staff. The balance of 1 crore 40 lakhs may be adjusted with the Government of India against the running sums that we have to pay them, so that we may invest it on better rate of interest or the Government of India may be requested to pay a higher rate of interest.

Whatever money is set apart for education, sanitation, public health, is money

well spent; the more money we can spare in that direction the better. The more grants we can give to District Boards and Municipalities for these purposes the better. The District Boards of Multan Division would be highly grateful to this Council if grants for above purposes are given.

The question of road construction is engaging the attention of the District Boards, since they have to spend a lot of money on education, medical relief and other multifarious items; help from Government for construction of metalled roads will be most welcome.

Such important roads as Dera Ghazi Khan to Rajanpur, Muzaffargarh to Alipur, Jhang to Lyallpur, and Jaranwala to Sayadwala cannot be quickly metalled without Government help. If a grant is placed in the hands of the Commissioner of Multan Division for such important roads, we will feel highly grateful.

It has already been said that education in rural areas is not perfect, and requires more help from Government.

There is urgent necessity of relaying the Pakpattan Railway.

\* The question of itinerating dispensaries has also been brought before this Council. My personal view is that they are absolutely useless; instead of money being spent on them, it would be better if a few more permanent dispensaries are opened.

A Member asks for unofficial Chairmen of the District Boards; the experiment is being tried in the Municipalities, but I cannot just at present support my learned friend that time has come for unofficial Chairmen of District Boards. When our District Board members become more educated, this request will be made to Government in the due course. Certain District Boards have not got electoral system in Multan Division. I hope Government will see their way to grant this.

The question of long period settlements, such as 40 years, will be brought before this Council in due course.

Definition of settlement operations has already been given by Mian Muhammad Shah Nawaz. Let me assure the Council that people in the districts do not like these frequent settlements. They do nothing but retard the improvement of agriculture. By the time a zamindar has made certain improvements, there start new settlement operations to assess him more heavily for all the hard work he has done.

The question of fixed assessments is another experiment which may be given a trial in the colony areas. One thing that makes us, the representatives of the rural areas, very jealous is that money is being lavishly spent in large towns and absolutely no attention is being made to improvements in rural areas. The palatial buildings fitted with electric lights and fans and a fine mall to drive on, on the one hand, and the katcha dusty roads where even all culverts are not properly made, on the other, are a comparison which show how unjustly the people of rural areas, the real money makers, are being treated.

Sir, I must apologise for having taken the Council's time. I must also crave the Hon'ble the Finance Member's pardon if I have made any incorrect suggestions.

Sir, the powers of this Council in the budget, as is evident from the Finance Member's opening speech, are very limited. We can talk as much as we like; what is to be done will be done.

**Rai Sahib Risaldar Sardar Raja Singh.**—Mr. President, some of my Member friends have already thanked the Hon'ble Sir John Maynard for the great trouble he took in the preparation of the budget, and I cannot find words to adequately thank him for the same. I thank him, however, all the same, and I beg to draw his attention to the condition of my zamindar brethren, who are living in villages. In these days of enlightenment we, the zamindars, are still ignorant. In the first place no suitable educational arrangements have been made in villages. Primary schools are sometimes opened by the District Boards on the express condition that the Lambardars

should provide houses for the schools. You can well imagine that people who are quite in the dark with regard to the advantages of education cannot bear to see a school started, when they are in the first instance called upon to furnish a house for it. In several villages zamindars actually provided houses for schools, but when they petitioned for the removal of the schools to Government-made buildings they were told that if they could not fulfil the condition of providing a building for the school, the school will be transferred from that village, and this has actually happened in several cases. I, therefore, most respectfully urge that as long as suitable arrangements are not made for the education of villagers, the boat of fortune of the zamindar community, which is lying in the mid-stream, cannot reach the shore, inasmuch as no nation can make progress without education. What to say of mundane progress, education is necessary even for finding God. As the Poet Saadi has said—

“Consume yourself like the *Shama* (candle) for the purpose of acquiring knowledge, for an ignorant man cannot even recognise God.”

I wish to draw the attention of the Hon'ble Member to two things only. In the first place, adequate arrangements should be made for the education of the poor zamindars, who are the inhabitants of rural areas, so as to enable them to look after their own rights. Government has, in its *communiqué*, announced that special concessions will be given to the zamindars in the matter of appointments in the various departments, but without education the zamindars are unable to obtain their allotted share. A friend of mine told me yesterday that the number of zamindar civil servants in the Montgomery District is only 10 per cent., while as a matter of fact the percentage ought to have been 66 per cent. and even more than that. Nobody is to blame for it, except the zamindars, who are uneducated and whose influence does not extend beyond the rural population. I hope, therefore, that Sir John Maynard

will have pity on the miserable condition of the zamindars and will increase the demand for the education grant in the budget.

The second disadvantage under which the rural population is labouring is the want of good roads. Owing to the absence of roads the produce of their land, corn, etc., are being sold at much cheaper rates than is the case in cities. There are no good roads in villages, in consequence of which the villagers are deprived of the advantage of conveying their surplus produce to cities and selling them at good prices. The prices of oxen are rising day by day, and hence every zamindar cannot afford to buy oxen good enough for driving his country cart over rutty roads for the purpose of conveying corn, etc., to cities. The zamindars have now begun to feel that since they are obliged to pay the cesses for road-building, there is no reason why roads should not be constructed to meet their convenience. Now, I will finish my speech in two words. The Hon'ble the Finance Member will highly oblige the village zamindars, with whom he has been connected for many years past down to this day, by making the necessary amendment in the budget for the purpose of promoting education and road-building in rural areas.

**Mr. Moti Lal, Kaishtha.**—Mr. President, coming as I do from a Himalayan range, I must bring to your notice the difficulties under which we are labouring. A lot of my hon'ble friends have supported me as far as the rural questions are concerned. I will not take up more time of the Council in simply narrating all those questions which have been mooted by my learned friend Mian Muhammad Shah Nawaz as to the settlement difficulties. I submit, Sir, that we have got the same land which we had in the time of Mr. Barnes. Then comes the second settlement of Sir James Lyall of 1868, settlement of Mr. O'Brien of 1891, Mr. Boughey and Mr. Middleton of 1914 and 1916. We see the land denoted or classified as *nahri doem*. That is a little better. But I fail to see, and I put this question, what

means have been adopted in the district to improve the lands and how those lands have been classified as first class land at the last settlement of Mr. Middleton. I find that the people have a number of grievances, and we represented these questions before His Honour, but unfortunately we have not met with success, and for that reason, alone, I ask this Council that if any settlement in any district is to be made, the sanction of this Council should be taken so that we shall see why that settlement is going to be taken and the means of effecting it. This is the main point. If you want to save the zamindar, to save the tenant, I ask this Council to adopt this procedure for the future welfare and prosperity of the Punjab. There is one point that all through 1914 to 1931, after war broke out, we had no trouble. We were living calmly, having full faith in the justice of the British Government.

Gentlemen, now I draw attention to the number of villages in Kangra District, excluding Kangra proper. There are nine hundred villages, length and breadth of them varies from 4 miles to 10 miles, and there are no rural paths and now the villagers have to go from one place to another through the jungles and torrents in the rainy season. Also young boys who have to attend schools are put to great inconvenience. For this reason I ask the Members of this Council to pay great attention to my humble representation. Taking the ratio I multiply this 900 by 10 and it brings me to the figure of 9,000 miles. For this most important necessity I want a substantial grant at the hands of the learned Finance Member. As far as the primary education is concerned, the whole Council has expressed full sympathies in the rural cause, but I wish to draw attention of this Council that in Kangra District the average of school-going boys is 16.6 and the district is in a backward state of education throughout the Punjab. District Board is sufficiently contributing its quota, but the Government grant is very poor having regard to the fact that Kangra's place is third in the Punjab considering the number of recruits it has supplied. Kangra

District supplied 16,000 recruits who went, in the beginning of the war, to France, Belgium, Constantinople, Africa and Mesopotamia and secured 103 medals; and thus earned a great fame. Throwing away all the prejudices of caste, creed and colour, I ask you, gentlemen, that you will grant substantial share for the uplift of Kangra people.

Then I come to the question of hospitals. I support my hon'ble friend Lala Atma Ram in his views that itinerating hospitals should be established, but I differ from the view that this would not serve the demand of the general public. At present only 10 per cent. people are relieved by the medical hospitals, 90 per cent. have to depend upon the Ayurvedic treatment and Unani treatment. In my opinion Ayurvedic and Unani physicians should be given substantial help, and they should be recognized by the District Boards and appointed in each and every zail to meet the requirements of the general public.

Furthermore, I suggest that Inspector of Hospitals should supervise the purchase of Indian herbs and medicines. At present a grocer keeps old things and people instead of being benefited by it suffer a good deal. I see that public demand in the rural districts is not met by these hospitals. I would put before this Council the example of influenza of 1918 which carried away 20,000 young, strong, sturdy mountaineers from Kangra District and no relief was administered at that time. For such purposes I press upon this Council that Hakims and Vaidas should be appointed, and I support the suggestion of my able friend Lala Atma Ram.

One question more. I turn to the speech made by my learned friend Rai Bahadur Lala Sewak Ram. I approve of the curtailments suggested by him, as the improvements suggested by the Government are not urgent at the present time and we can very well put away all those improvements and adopt the suggestion of many rural friends as far as the rural improvements are concerned.



As regards cattle tax, I would say that it is a burning question of the day in the Kangra District. Every poor peasant is suffering from the imposition of these taxes. I put a case before you all gentlemen. Sheep and goat tax is imposed, and the sheep and goats are counted by the Patwari of the circle. If the goat is slaughtered on marriage occasions, the tax is still there and there is no remedy provided.

As far as the forest questions are concerned, I will bring them before this Council in the next session because they are very complicated ones. Mr. Fagan, who has been in Kangra District, knows all the complications of the forest questions which are causing irritation in the minds of the poor peasants who live in the jungles. We used to have the Taur tree leaves for plates on the occasion of marriages, but even those are denied to us.

One word for *Begar*. It is still raging throughout Kulu Division and I may say throughout the district. Mules are impressed, carts are impressed and even the poor tenants are impressed, and great hardships are caused to the private enterprisers; and the poor zamindars and people taking their produce to the nearest tahsil headquarters are harassed by the tahsil jamadars, etc.

High prices are ruling throughout the district for want of communications and somewhere for want of water irrigation, and some steps should be taken to remove the dangers of famine.

One word for Gurkha-soldiers who are labouring under the difficulty of Land Alienation Act, and I draw the attention of this Council that those, who have been living in the Kangra District for three generations, may be allowed to purchase lands in the villages where they have settled.

Hon'ble Mr. President and the Members of this Council, I have to thank you for the patient hearing which you have given to a rural Member who is a representative of 7,000 soldiers of Kangra District.

Khan Bahadur Sayad Mehdi Shah spoke in Urdu, and said—First of all I thank, like other Members, the Hon'ble the Finance Member for presenting the budget so lucidly. Owing to deficit in income it is apprehended lest, in order to make it up, the deficit revenue might not be raised on the Jhang and Gugera Branches of the Chenab Canal with the commencement of settlement operations. Moreover, more money may be granted for the purposes of construction of a *pucca* Grand Trunk Road for communications between Lyallpur, Sargodha, Jhang and Multan, because great inconvenience is experienced when during these days of war booking of goods by railway is suspended, which has caused tremendous rise in prices of goods throughout the country. I, therefore, appeal to the Council that more money may be spent on the extension of the communication which is equally beneficial for villages and towns.

Itinerant hospitals have proved to be of no use. They should be replaced by permanent hospitals wherever necessary. Of course some money should be reserved for the prevention and suppression of epidemic diseases, which can be usefully spent at the outbreak of an epidemic as was done at Lyallpur. This experiment was carried out satisfactorily there for one year. I might bring it to the notice of the Council that the question of dispensing with itinerant hospitals, which are started with the interest derived from agricultural loans, has been brought before the District Board, Lyallpur.

As regards female education, I agree with Chishti Sahib. The country, especially the rural area, is not as yet prepared for female education. Moreover, compulsory education is not required as education is spreading by itself. This is better than introducing compulsory education. Money, of course, is required and a sufficient amount should be provided. The practice of taking houses for schools and contributions for starting such institutions in District Boards should be put an end to, because poor zamindars cannot give houses or subscriptions for schools. Special attention should be



paid to this matter, so that all classes of people may be benefited equally. Poor zamindars cannot receive education under the present practice. The District Boards should, therefore, give up the question of asking people to give houses and subscriptions for schools.

**Mr. Manohar Lal.**—Sir, at this late stage of the discussion when a large number of Members representing various rural and urban interests with an intimate knowledge of local conditions have already spoken on various aspects of the budget, I cannot expect to make any large contribution to the discussion, and I, would not, therefore, venture to trespass on the attention of this Council to any large extent. You would remember, Sir, that in a famous passage in one of the Platonic dialogues, Socrates classes public speaking with confectionary as an art of flattery. It is not to indulge in any of those vices that I stand this morning to say a few words. I ask your permission to associate myself with the remarks made by practically every Member who has spoken so far to express our appreciation and gratitude to the Hon'ble the Finance Member for a very lucid and strikingly straightforward exposition of the finances of our Province for the coming year, and in doing so, I am uttering no mere customary formula. The exposition has not only made this extraordinarily intricate subject intelligible to the most hurried and cursory reader, but it contains in itself an amount of information which would satisfy the requirements of the most exacting student. Sir John has really taken us into his confidence. He has, while bringing out the implications of the fundamental principles of national economy, showed how at every stage changes in the character of this Council have affected our financial position; and he has also, if I may say so, given abundant proof in the statement placed before us of genuine sympathy with the aspirations and the wishes of the people of this Province. The Hon'ble the Finance Member has faced a very difficult situation. Our finances during the year, so far as revenue is concerned, have dwindled. We are faced with a real deficit. This situation has been bravely and

courageously met, not as if by the mere man of business proceeding on some rule of thumb, but by one whose mind has been sufficiently alert to the teachings of what is sometimes set down as speculative rubbish. Casting before me the type of man who faces a situation of this character in the particular manner that it has been done, I am reminded of a famous passage in Burke's well-known address on the American taxation where he says how rarely men that are too much conversant in office are minds of remarkable enlargement. Sir John's is the rare mind in whose case the habits of office have not seriously affected his grasp of the realities of business. In him is satisfied the best contained in Burke's words: "Where the high roads are broken up, and the waters out, when a new and troubled scene is opened, and the file affords no precedent, then it is that a greater knowledge of mankind and a far more extensive comprehension of things is requisite than ever office gave, or then office can ever give."

I see, Sir, in the budget, as presented to us recently by the Hon'ble the Finance Member, indications that not only has he taken us into his confidence and respected the wishes and aspirations of this Council, but that he has borne in mind every possible consideration of large-minded sympathy that the people could desire.

Sir, after having thus expressed my salutation in a good Hindu way, I think I have now earned some right to enter into some critical sentiments. Sir John has formulated a strong thesis as to the powers with which this Council has been endowed now for the first time in considering the question of the finances; but as the Council has undoubtedly noticed, very serious limitations are as a matter of fact placed upon any real powers which the Council possesses in the matter of the budget. At page 3 of his financial statement, three such limitations are indicated. Contributions which are made payable by this Province to the Central Government is one of these items, which do not come within the province of our discretion, and which is pre-determined for

us. The next large item which the Council cannot vary is the amount of interest and sinking fund charges on loans, which amounts also to a large aggregate of 75 lakhs. Next, Sir, is a very large number of items where the law has already definitely fixed the amounts, and the Council is not empowered to vary them. Then, Sir, to these three we combine the further fact that as a matter of fact so far as reserved subjects are concerned, whatever may be the theory as to the actual voting in this Council, in practice the grants are practically to be regarded as fixed. Then the exception indicated by the category "emergency" a vague but in certain circumstances a comprehensive word—also may constitute a whole area of the grants which this Council may not touch. It becomes obvious that the limits imposed on the activities of this Council in determining what grants shall actually have been made are real and serious. Further, Sir, not only that, but it will be realised by the Council, as indeed it was pointed out by one of the learned Members—I believe it was Mr. Ganpat Rai—that the Council has been given as a matter of fact no power whatever of re-appropriation. Further, Sir, as indeed it is indicated at some length in the Hon'ble the Finance Member's statement, the machinery actually provided by the Statute for voting expenditure, it the Council so desired it, is an elaborate one of moving by way of a resolution. The present Council has hardly utilized that machinery at all for certain obvious reasons, except in so far as we may have indirectly affected the Government's policy by our voting on the resolution on the Amritsar indemnity question. It is due to our want of experience and it is undoubtedly also due to the fact that there is a complete absence of statutory provision for the discussion of these matters at what is known as the "committee stage" of the whole Council as it exists in other countries. I need hardly say that I am not referring to any direct initiative in the matter of expenditure by this Council—that is a well-known function of the Crown, that is, of its executive, the cabinet or whatever the form that may take. Omission and reduction is a strik-

ing method of expression of disapproval as regards a particular vote that is placed before a popular chamber, but it takes us only a very small distance in the people's real control over the income. We are far from that control of the finances of the State which control signifies control of national policy. Then Sir, what we lack is an organization in our power as regards the study of the budget. Those familiar with parliamentary procedure will see at once that these two stages which are provided for us, firstly, the general discussion, like that which we are indulging in at present, and, secondly, the voting of grants actually framed by Government, do not provide any such real machinery for a proper study of the budget. As long as we do not have committees of subjects and ways and means we are far from a real parliamentary stage of the people's determination of the employment of the people's resources. I am not referring to this as any complaint against the Hon'ble the Finance Member, but I am merely trying to formulate a desire—a very legitimate desire—on the part of the people. It is a matter on which the reforms are really disappointing, because we feel that here certainly was an advance which could have been made without any fear of undue haste or danger of landing the commonwealth in any unknown troubles. If I may say so, the rules do not entirely exclude the possibility of the Council going into committees for the purpose of studying the budget, but as things stand, at the present, it would certainly be delaying matters, and probably we could not get along at all. It depends, to no small extent, on the way in which our time-tables have been fixed.

Then as regards the Provincial contribution. That is another matter in which things will remain fixed as they are; so far as this Council is concerned, our powers are obviously of a limited nature. On this subject, I do not wish to speak at any length because Mian Muhammad Shah Nawaz and Pandit Daulat Ram, Kalra, have spoken at length, and my sympathies are with their views. It is apparent from the financial memorandum which accompanied the Hon'ble the Finance Member's statement that the

Government of India has not found it possible to accept the recommendations of what is known as the Meston Committee on local finances. Under the proposals of the Meston Committee, this Government was assured of progressive decrease in its contribution. It is set forth at page 5 of the financial memorandum that our contribution towards making up the normal deficiency in Central Revenues in seven consecutive years ranges from 18 per cent. down to 9 per cent, but in the arrangement as finally sanctioned by the Government of India, no such assurance exists.

Now that the Province is launched upon schemes of increased expenditure because we, as others, feel the necessity of undertaking schemes for the amelioration of people, I think a strong case should be made out on behalf of this Province that the recommendations of the Meston Committee which went into the matter in considerable detail should be finally accepted, and a rigid claim like that which has been finally sanctioned—in which no assurance whatever is given for a decrease in the Provincial contribution and it stands very high as compared with other Provinces—should be equitably modified.

Sir, one other matter in regard to the financial provisions I should like to bring to the notice of this Council, with your permission, and that is that contained in our Devolution Rules, paragraph 36, sub-paragraph 2. That, Sir, is a provision contemplated by the Government of India and the Secretary of State as regards the appointment of a Joint Financial Secretary for transferred subjects. I will read this provision—

“There shall be in each Governor's province a Finance Department, which shall be controlled by a Member of the Executive Council” and sub-paragraph states—

“immediately subordinate to the Member there shall be a Financial Secretary with whom shall be associated, if the Ministers so desire, a Joint Secretary appointed by the Governor after consultation with the Minister.”

So far as I gather, Sir, no effort has been made in this Province to secure,—I do not know whether the Ministers have expressed a desire to secure the ap-

pointment of a Secretary to assist in the financial administration of the transferred subjects—the assistance which a person specially assigned to that work would be able to render,—somebody carefully to watch the interests of these subjects, with which the Council as a whole is mainly concerned and in which the opinion of the Council is to have a prevailing effect.

Sir, I should now like, with your permission, to refer to a matter in which I am deeply interested—I mean the provisions actually made by the Hon'ble the Finance Member in the matter of the education of this Province. You will see, Sir, at page 31 of this memorandum, which accompanies the Financial Statement, that the total amount of money provided under the head Education, including University, Collegiate, Secondary and Primary, and General Expenditure comes to Rs. 86,09,000. You will see, Sir, that this sum represents about 7½ per cent. of the total expenditure of this Province, which stands budgeted at 11½ crores, roughly. I will ask the Council to note, Sir, that in this provision the higher education, by which I understand University and Collegiate education, stands for a sum—the first four items on page 31—stand for Rs. 10,37,000 out of a total of 86 lakhs. What stands provided for higher education, University and Collegiate, is the sum merely of Rs. 10,37,000. I am particularly drawing the attention of this Council to this, because of the exaggerated opinions existing here as to the provisions which the Government might be making for higher—and therefore possibly in the eyes of some unnecessary—education. You will see, Sir, here, and perhaps I may be permitted as the representative of the University—and therefore belonging, if I may say so, neither to the rural nor to the urban constituencies, but probably if it came to a matter of statistics would be regarded as belonging more to the rural—you will see, Sir, that the total provision which the Hon'ble the Finance Member has thought fit to make for the University is the paltry sum of Rs. 3,85,000, and I would, with your permission, like to analyse that for a moment. At page 32, Sir, you will see that out of

this small sum the sum of Rs. 2,50,000 is to be voted for certain buildings as a non-recurring grant for building purposes. What the Hon'ble the Finance Member has given to the University for carrying on the actual work of teaching is the small sum of Rs. 1,35,000, and this stands analysed on page 67 of the Budget Estimates. It has been hinted at more than once as if the Government were really lavish with their funds so far as the University is concerned. It is, I think, a fact that this sum of Rs. 1,35,000 consists of but four or five items. There is first the item called "Grant to the University for General purposes," which comes to Rs. 88,400. Then there are two items—a Professor in Zoology and a School of Chemistry—which between them make Rs. 45,000. Sir, it comes then to this, that this Council—or the Finance Member as he places the budget before this Council—launching forth on a scheme of real reform—and the University must take a large place in any work of real reform—is granting to the University in its first and serious endeavours to make itself a real teaching body, and therefore a properly functioning University, a sum merely of Rs. 1,35,000. That might be almost too large! But, Sir, I wish that that sum could be properly analysed. Out of this, as I have said, there is a large sum of Rs. 88,000, and that sum—it appears to me, Sir, that the Finance Member and the Education Member between them have entered into some sort of conspiracy to starve the University—is as old as the hills; it is not due to any wonderful new grant on the part of this Council recommended by the Finance Member, not in the least; as I say, it is as old as the hills and consists of an old item which the Government of India used to give us of Rs. 10,000 towards the travelling allowance of Fellows; to the Oriental College—a peculiar institution managed by this University—Rs. 21,000, to the improvement of education Rs. 35,000, and, in addition, the Government of India grants a certain number of doles which are given away to Colleges amounting to Rs. 20,000. These three or four items between them as a whole make up the entire grant of Rs. 95,000. That is not of any assistance

to the University in its new and extended tasks, and what I particularly wish to say is this, I want this Council to realize at the very first stage that it is grappling with questions of finance, that we of the University deserve well of the Council. Out of this Rs. 88,000 Rs. 21,000 stands allocated, so far as the Government is concerned, to the Oriental College, that one very expensive institution which the Punjab University is proud to keep because of the small encouragement which the Government gives. Sir, while the grant remains fixed it is a fact that the expenditure that the University has made itself responsible for the improvement of the Oriental College during the coming year practically amounts to no less a sum than Rs. 40,000 or thereabouts. While we of the University are undertaking a large expenditure for the furtherance of Oriental studies—a matter in which the people of this Province, one and all, must feel the deepest interest—not a penny more is given to the University by the Hon'ble the Finance Member under that very important head. Really we are cut off with two Professorships, and if the Government imagines that with two Professorships they are starting the University on a real course of work, I find it impossible to adequately characterise that attitude on the part of the Government. Sir, it is perfectly clear to me that here there has undoubtedly been a clash. We are fortunate in having for our Vice-Chancellor the gentleman who also presides over the financial destinies of this Province, but it seems to me that the Hon'ble the Finance Member, as Finance Member, has cut down the poor Vice-Chancellor when he stood before him in that particular capacity. I too as a Member of this Council have some share of responsibility for the finances of this Province, and feel strongly on Reforms, and therefore on educational advancement, and therefore in the interest of the University cannot but feel that it is not treating generously—it is not treating justly—that one body which deserves so well of the Government. Sir, I would probably have not laid this emphasis on this matter to this extent were it not for the fact that we in the University are faced with bankruptcy even more serious-

ly than this Council can be said to be. Because, Sir, it is only last night—and I think I have the permission of the Hon'ble the Vice-Chancellor and the Hon'ble the Education Minister in saying this—that we made up our accounts and we really found that we are faced with a deficit of nearly one lakh during the coming year. It is not a surprising fact, Sir, that as far back as May 1920 a very strong committee sat to consider the financial affairs of the University; on that body, Sir, sat the Vice-Chancellor, the then Director of Public Instruction, our present Chief Justice, the Hon'ble Khan Bahadur Mian Fazl-i-Husain, who now occupies the portfolio of education in this Province, and the Principal of the Government College, and the conclusion arrived at—after, you may well believe, close attention had been paid to all requirements of economy, which were always attended to properly by the Hon'ble Sir John Maynard—was that the University immediately requires, if it wants to develop at all even on a very modest scale its education work, a non-recurring grant of Rs. 6,80,000 and a recurring grant of Rs. 1,95,000 per annum to meet the annual deficit. And, Sir, as a result of that committee's effort the University set about immediately to increase its revenues by such taxation as it is open to the University to impose, and that is of course by raising our fees, examination fees, and so on. Sir, we have been able, to a very partial extent—keeping far from the programme, a modest programme of educational activity which we have placed before us—to reduce this extreme limit of the deficit with which we were faced last year. But, as I said before, it is because of two facts, firstly, we have increased our fees heavily, and, secondly, because we have cut down our modest programme of teaching work; and yet, Sir, we are faced, as I have said, during the coming year with a deficit of one lakh. Towards that lakh of rupees the Government is not contributing one anna. When we have made every possible calculation it will be found as a matter of fact it will not be possible for us to tide over the serious deficit under the present arrangement of the finances.

Sir, I should now refer to one other matter which touches educational people rather strongly and sorely, and that is the position of the members of the Subordinate Educational Service to which attention has already been directed in certain questions which one of the Members of this Council has already put to the Hon'ble the Minister of Education. I have tried to make certain private enquiries also. I find, Sir, that in a recent Gazette certain announcement has, as a matter of fact, been made as regards the status and salaries of these members of the Subordinate Service which I humbly venture to think deserve well of the State for their extremely laborious and honest work. But I find that while the Education Department may be satisfied that something has been done for these poor people, one anxiously scanning the figures is not satisfied to the same extent. I do not want to go elaborately into the matter, but I will say this, Sir, that out of this 90 lakhs or thereabouts which the Hon'ble the Finance Member mentioned to this Council again and again as a sum by which the Government was dealing liberally with the non-gazetted men, there has been no dealing liberally with these poor schoolmasters. What I find, Sir, is that the highest grade of these subordinate educational people stood at Rs. 400 and now stands at Rs. 250. Now that is a state of affairs which cannot be pleasing to members of any particular service; inasmuch as it is not possible for them to rise beyond Rs. 250 a month as compared with Rs. 400 previously. There is a financial limit, Sir, if I may say so, placed on the ambitions of men within a service, and therefore if I may say so on the possibility of good men joining the ranks of that service, I think it is a scandal—because it is nothing short of a scandal—thus to take advantage of the hard-pressed educated middle class of the Province.

Sir, that is not the only grievance—a grievance which we shall have to face seriously at no distant date. But further in the Subordinate Educational Service there is no system of promotion on time-scale basis with an efficiency bar at various stages. The provision for annual increments is made within the limits of a given



grade. On reaching the maximum of his grade a teacher will rest there for no less than 6 or 7 years and in some cases even 10 years according to the number above him enjoying the maximum salary in the grade. Further, I should like to bring another matter to the notice of the Hon'ble Minister for Education. There has been an actual reduction of posts in the higher grades. In this connection I may also pointedly call the attention of those concerned to the poor educational clerks. Recently when I was inspecting a College the matter was brought to my notice that the poor educational clerks have benefited very slightly, if at all, in these 90 lakhs that have been given to non-gazetted officers; and that a very large number of them, if not all of them, have had to be recompensed by what is technically known as restitutional allowance. I have seen more than one instance in which a clerk actually drawing Rs. 71 per mensem according to the revised scheme was placed at Rs. 70 instead of obtaining a genuine 40 per cent. increase on his salary and was given a restitutional allowance of Re. 1. I would not have brought this matter before the Council if I had not been satisfied by looking into the facts that the educational clerks are extremely badly placed in respect of their salaries. I would really be sorry to see that clerks, especially the educational clerks, who have no other source of earning money, are not given good salaries.

I would like to refer to one more point and that is this that the University has launched upon a scheme of reform to provide more satisfactory vocational training where possible. Only the other day we had a long discussion in the Senate with a view to find out how it is possible to meet that wish on the part of the people. Certain schemes were placed before us as to the possible provisions on the part of Government to meet this requirement of the people and it was said that something wonderful is to come out at Mughalpura where an all-embracing scheme for vocational training, mechanical, industrial and technical, will be forthcoming, but on examination of the budget there is against this rosy picture only an institution with a very limited scope to train boys as of

Mechanical Engineers. What a *ridiculus mus*! That, Sir, was not our idea at all.

With your permission, I would draw the attention of this Council to the grant of Rs. 1,19,000 made for the Publicity Committee; in the year 1919-20 that grant stood at about the same figure. Since then we have noticed that the journal which achieved much unenviable notoriety, known as the *Hag*, has disappeared. As a result of that it was thought that the expenditure under this particular head would certainly come down. No such thing has happened. I would like to hear from the Finance Member or the Member responsible for this item to inform the Council what is intended by incurring this heavy expenditure on this Department.

Two words more and I have done. I would refer to the question of the supposed sectional interests of rural and urban on which emphasis has been laid in our discussion at various stages. I feel I must say a few words because I am neither rural nor urban, but I represent the University which equally embraces both. At this early stage when we are endeavouring to have home rule, we should try to avoid these sectional questions, particularly when they are based on absolute fallacy. It has been said that democracy is making a frow of the world and now that the people's Government is making its appealance in our land, we should see that sectional and dividing elements do not affect our financial administration somehow to make the democracy impossible.

The Hon'ble the Finance Member referred to a dictum of Manu in support of his speech, saying "No King, however poor, shall take that which ought not to be taken: nor shall he, however rich, decline to take that which he ought to take, be it ever so small." He was not laying down any principle of guidance as to what should be taken from the people. The question still remains and it is a matter of constant difficulty as to what can be taken from the people. Modern political economy is unable to specify what ought to be taken, but the King's demands should satisfy certain conditions. No more sacrifice ought to be imposed on one section



of the people than on another; and the aim in taxation ought to be minimum disutility to the subject. Fortunately today we are not faced with the actual problem of how to take away more, but the problem practically before us is well indicated by a homely proverb "cut your coat according to your cloth." In doing so, let us be quite sure that our coat is not unworthy of our Province.

**The Hon'ble the President.**—In view of the fact that there is but a short time left, and many Members still wish to speak, I do not propose to have the remarks interpreted for the next hour.

**Sardar Bakhtawar Singh** spoke in Urdu. After thanking the Hon'ble Finance Member for his pains, he deplored the limitations placed on the Council in the matter of finance. He deprecated the criticism that income was less than expenditure and said that had it been otherwise, the Members would have said that the Government was unduly saving money. He pleaded for more confidence between the public and the Council, and said that that was mainly due to the disabilities under which the Council worked. This was also the main reason for boycott of Councils. Continuing, the speaker said that more money should be spent on rural education. He also urged the necessity of employing more experienced teachers for infant classes. With reference to female education, he said that it was no use making their women graduates as chastity was their main ornament. He approved of the excise duty, as it increased the price of liquor. The Member, continuing, approved of the *Panchayat* system and regretted the litigation prevalent amongst the people.

**Lala Uttam Chand** spoke in Urdu. He said that half the population of Lahore was half-starved. Poverty was the main cause of crime. Most of the budgeted expenditure was for the rich, which was most unfair.

**Khan Saifullah Khan** spoke in Urdu. He urged the speedy construction of the Sind Sagar Canal, and said that if the Government could not do the work itself, it should be entrusted to a company. He was opposed to short term settlements.

**Rai Sahib Sardar Harnam Singh.**—Sir, every Member who has spoken on the budget has paid a compliment to the Hon'ble Finance Member for the way in which the budget has been presented, but I still feel that I should also associate myself with this compliment and tender my personal thanks to the Hon'ble the Finance Member, as without the help of the lucid speech of the Hon'ble Member, it would have been impossible for the new Members like myself to understand the mass of papers which have been presented to us.

There are not many points now left to speak on the budget which have not been already touched by the various Members who have spoken. I would only speak on the general principles as viewed from the Indian points and that is that we should not spend more than our income and not go on spending from reserves. Of course the Western principle is to raise money on loan to the full extent of one's credit and live in luxury, but the Indian does not believe in this principle, and he will cut down his bare necessities even to meet any unforeseen expenditure and will also build reserves to meet unforeseen necessities by not spending up to even his ordinary income. I think that we have some voice in framing our budgets. Our budgets should be framed on the Indian principle of living within our income, reducing our debts and building reserves instead of on the Western principle of living in the most comfortable surroundings that we can by spending all our income and also ledging our credits. I see a big portion of the amount is intended to be spent on buildings, etc., in the Province, and several of these according to the present conditions of the Province may be considered as luxuries. I need not mention these again as Rai Bahadur Lala Sewak Ram has already mentioned some of these in his speech and we intend to discuss these when the grant of votes for these various expenditures come for discussion.

The other suggestion which I would like to bring to the notice of the Hon'ble Finance Member is that a small Advisory Committee of this Council should be appointed to see the budget and discuss

with the Finance Member before it is finally compiled and presented to the Council, as this will, in my opinion, reduce a lot of time of the Council when the budget comes for passing in the Council.

I think some more money should have been spent in the Punjab in improving and increasing the industries of the Province and also on model farms where demonstrations should be given of the modern methods of agriculture and use of the modern machinery. There is no doubt we can train a few expert agriculturists in the colleges every year, but it will take a long time before there are sufficient men available to show any great improvement in the methods of agriculture in the Province generally, but by the demonstrations of these model farms, we will be able to get a greater number of zamindars to adopt these methods.

I think we will be able to make our Province richer by spending more money on these two departments and thus increase our income and also make our Province peaceful and contented by showing the people how to earn more money and thus reduce their economic troubles which are responsible to a large extent for the present condition of our Province.

**Rana Muhammad Jamil Khan** spoke in Urdu, and said that all the speeches should be delivered in Urdu. It was true that he did not know English, but that was no reason why he should not be able to intelligently follow the proceedings. Otherwise, he said, his coming to the Council was useless and ridiculous. When he would go back to his village and the people asked him as to what he had seen or heard in the Council, what reply would he be able to make. He appealed to the Members to speak in Urdu.

**Mr. K. L. Rallia Ram** spoke in Urdu, and said that in Baroda out of an income of 2 crores, 24 lakhs was spent on education. The Punjab Government insisted that the local bodies should spend at least 18 per cent. of their income on education. The Government should set an example.

**Mr. Manohar Lal** had contended that the University had not been given sufficient money. The speaker was of a different opinion. There were only 4 thousand students in colleges, while there were as many as 4 lakhs of students in schools. Under the circumstances, much more money should be spent on schools.

The Member, continuing, said that the pay and prospects of teachers should be improved.

Referring to the excise revenue, he said that it had almost doubled in recent years, which was much to be regretted. He hoped that total prohibition would be introduced, and other means would be adopted to make up the deficiency in the revenue.

**Pir Akbar Ali** spoke in Urdu, and said that the Provincial contribution was excessive. With regard to the canals, he said that the management was extravagant and dilatory. He proposed that canal *panchayats* should be established.

Continuing, the Member said that settlements should not recur after such short intervals, which led to useless expense and inconvenience. If the Government wanted to increase the revenue, it could do so without a fresh settlement.

The Member, continuing, said that scientific agriculture should be encouraged by special prizes.

About excise, he said that the tax on wine should be prohibited, so that the drink evil may be reduced.

**The Hon'ble Khan Bahadur Mian Fazal-i-Husain** spoke in Urdu. He thanked those Members who had expressed their confidence in him and had demanded larger expenditure on education. He assured the Members that every pice allotted to education will be properly spent. The Education Department had no intention to sink public money on buildings.

Continuing, the Hon'ble Member pointed out that expenditure on education was an all-round expenditure, because crime and education varied inversely. Education was also necessary to remove the distinction between the rural and urban classes.

Referring to local self-government, he said that *panchayats* were a necessary measure. *Panchayats* would decrease the expenditure on police and judiciary, as well as save the ruinous charges of litigation.

Referring to the criticism of Mr. Manohar Lal with regard to the pay and prospects of the Subordinate Educational Service, the Hon'ble Member said that the criticism was due to misunderstanding. By citing facts and figures, he said that it was wrong to say that sufficient improvements had not been made.

Continuing, the Hon'ble Member entirely associated himself with the remarks of Lala Uttam Chand, that the interests of the poor should not be disregarded.

Proceeding, the speaker assured the Council that as far as the transferred subjects were concerned, their opinion would carry the greatest weight.

**The Hon'ble the President.**—I am afraid it is impossible to let anyone else speak. It is now time for the Hon'ble the Finance Member to reply.

**The Hon'ble Sir John Maynard.**—I shall be very brief in replying. In the first place, let me say how much I thank all the Members who have spoken very kind words indeed about the budget and about me, but as each word fell from the lips of each successive speaker, I blushed, not entirely from modesty, but also from a sense of guilt. I was conscious of the fact that those phrases which were so kindly bestowed upon me should in point of fact have been bestowed on my friend and colleague Mr. Gibson, to whose devoted labours together with the labours of the office all credit is due,—credit should always be given where it is due.

In the first place, let me say that I have to congratulate the Council on what I may call a piece of good-luck. We have heard since the proceedings opened that the Government of India have decided to alter the figures of the revised budget. I need not trouble you with technicalities but roughly we have Rs. 1,90,000 more than we thought we had. The grants will be modified accordingly, and some of those grants which

were omitted in consequence of the decision in regard to the Amritsar indemnity will now be restored. One of the grants which it is proposed to restore is a grant of 1½ lakhs in connexion with certain proposals for acquiring land in Lahore. The reasons for re-including that is that, if we allow the opportunity to pass, we shall not be able to make the acquisition. Another item which will be included is the item of Rs. 15,000 on account of the measures for the reclamation of agricultural lands, and another item is Rs. 50,000 on account of the improvement of stone quarries. Let me explain that it is necessary to improve stone quarries in order to deal with improvements to the roads of the Province, regarding which so many Members have spoken.

Now I turn very briefly to the criticisms which have been uttered. In the first place I should like to say that it seemed to me that one critic of the administration was bent on demonstrating to this assembly that his appointment to be Council Secretary in no way closed his mouth. When we were discussing the salaries of Council Secretaries, I heard one of the Members express some apprehensions that possibly those who were so appointed would find them compelled to support Government on all occasions, and therefore the Council would be deprived of some very valuable assistance. But one of the Council Secretaries at all events has very effectively demonstrated that this is by no means a meaning of these appointments. He attacked the settlement, he attacked the Colonization Act, he attacked travelling dispensaries, he attacked the Veterinary Department, District Board Administration, and I think he was still attacking more when my pencil broke. Well, Sir, I shall not attempt to go into criticisms of particular questions of administration. Those will properly be dealt with by the Members and Ministers who will put before you the various grants. There were certain general indications which came out from all the speeches, I think, and which, you may rest assured, the Members of Government will carefully look into. One of those general indications was the strong feeling which exists in this Council on the subject of the necessity for strict economy of resources.

That as one of the points that was very strongly brought out, and another—I think I may say the most definite point—which was made by a very large number of speakers was the great need of considering the urgent need of the poorer sections of the rural population in such matters as Education, Roads, Medicine and Public Health. As I have said, Members and Ministers will, I am sure, lay these two things very much to heart; but let me say at the same time that though you should be economical, you must not carry economy to such a pitch as to deprive yourselves of those things which really tend to improve the well-being of the population, although every improvement may at first not appear to be directly conducive to that end. One of my critics—Rai Bahadur Lala Sewak Ram—even went so far as to criticise the proposed appointment of Deputy Directors of Agriculture and the provision of house accommodation for them. Well, as he said those words, I thought to myself that probably the most valuable and the most productive of all forms of our expenditure is our expenditure upon agriculture. And if we have not got Deputy Directors to guide our expenditure on agriculture, then we shall be able to do much less work in that direction, and if those Deputy Directors have no house to live in, we shall not be able to retain their services for a very long period. Therefore I urge you, although I agree fully with the ideas on economy which have been urged by so many speakers—though economy is an absolute necessity—not to attempt to cut down those items on which the prosperity and well-being of large sections of population depend.

I would now turn towards the criticism that has been made by several of my friends. First is Mr. Ganpat Rai. He pointed out that this Council has not got the power of initiating expenditure, and he thought that since the Reforms did not bring with it this power, they were very disappointing. In other words, the Council has to wait until proposals are put before it by a Member or a Minister on behalf of Government on a particular item. I might say that even the Imperial Parliament of Great Britain has

not got the power of initiating expenditure which my friend Mr. Ganpat Rai claims for this Council in these very early days of its first beginning.

Another friend of mine seemed to be disturbed because this Council had no control over national policy. Some day perhaps the All-India Assembly might aspire to such control, but it is hardly conceivable that this Council should be aggrieved by the lack of it.

Another of my friends, whom I am pleased to recognize as an old student of the Aitchison College, Sayad Muhammad Hussain, has put forward a pertinent criticism. He pointed out that at present there is no satisfactory provision for consulting this Council in the early stages of the framing of the budget. That seems to be a very good point. He has laid his finger on a weak point in our arrangements; but I would hasten to explain that it is not a defect which will remain in our Council for a very long time. There will be constituted a body called the Committee of Public Accounts which will deal with these matters, and that body or some other body representative of this Council will be called on to assist at an early stage of framing the budget proposals for the next year. Whether this particular function will be discharged by a Committee of Public Accounts or by some other body elected out of this Council is a matter which has not yet been decided; but the Members of this Council should rest assured that this suggestion will be very thoroughly considered, and by the time our preparations for next year's budget are in hand we shall be able to consult this Council or the body of representatives of this Council in the early stages of the budget.

One or two Members have suggested that we should ask the Government of India to give us back our one crore of rupees which were placed in their hands some years ago in consideration of the annual assignment of 3½ lakhs. In this connection I would point out that the Financial Branch of this Government has made efforts to induce the Government of India to make more favourable rates with us in this respect; but so far

we have not been successful in obtaining better terms. If, however, this Council is in a position to give us any assistance in making more favourable arrangements, we shall be pleased to make another attempt. There was one more point put forward by Mr. Daulat Ram and Mr. Manohar Lal. They say that we should take steps to alter the basis upon which our annual contribution is now fixed at 1.75 lakhs in order to reduce it. I can only say that I should be gratified if it should be possible for them to persuade Government of India to take any action of this sort. Whether we would be successful in this attempt at a time when the Government of India is very seriously financially embarrassed is doubtful, but such an action can bring no possible harm. My friend Maulvi Muharram Ali, Chishti, while dealing with my remarks "that responsibility had now passed to this Council," said that Government is also responsible because there is certain considerable power still reserved to Government. That is perfectly true. This Council is not alone in exercising its power. Government is responsible for making proposals, and this Council is responsible for arriving at wise and just decisions upon them. Government can, as my friend pointed out, interfere even after the Council has arrived at its conclusions, but they will only interfere under certain conditions which are very strictly regulated by law. If there is anybody who supposes that there is a very serious risk of these powers being used in such a manner as would be prejudicial to this Council, I would point out that the Crown of Great Britain possesses the power of vetoing a Bill which has been passed by both Houses of Parliament, but that power has not been exercised for more than 200 years.

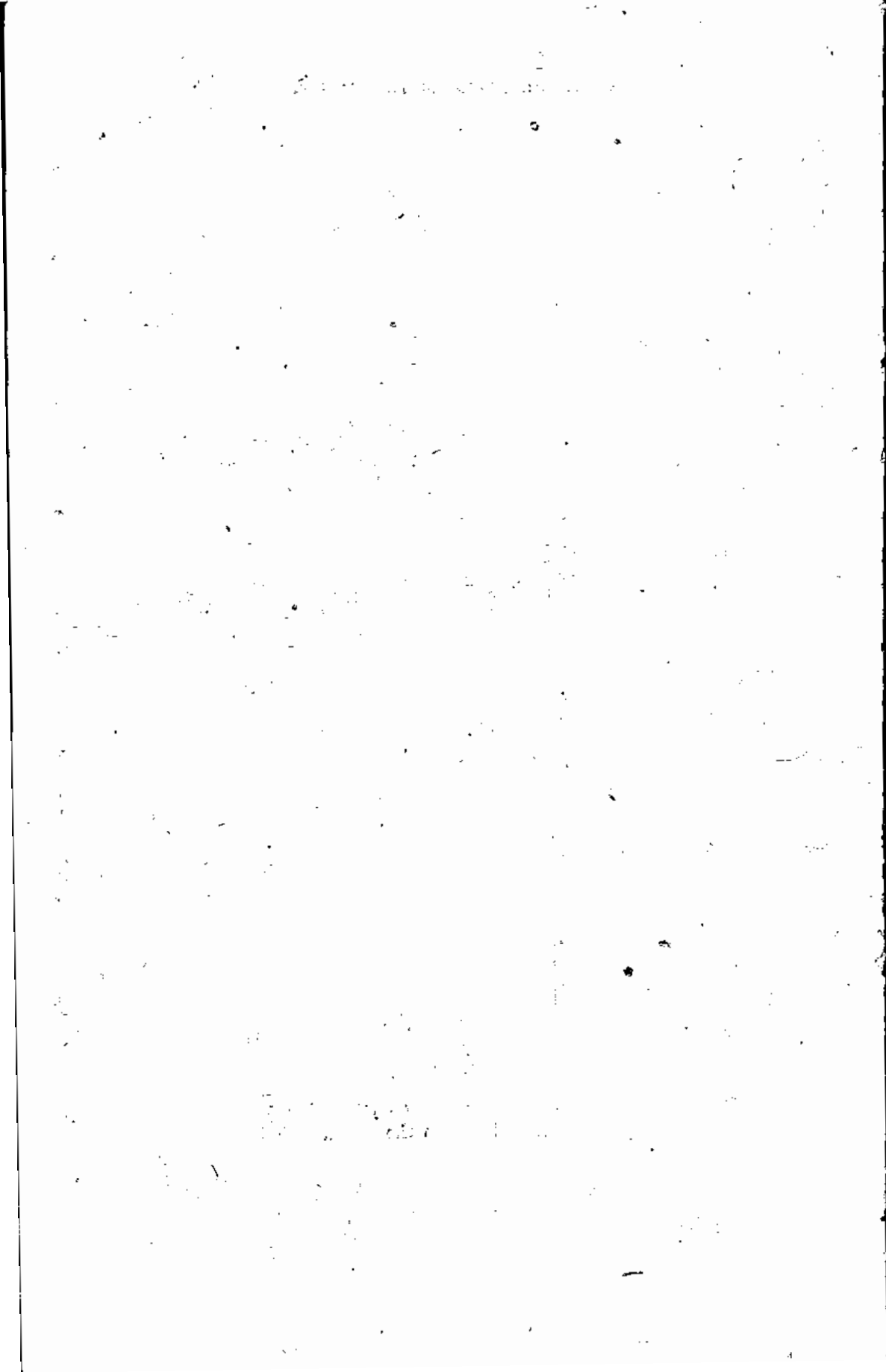
My friend Maulvi Muharram Ali, Chishti, pointed out that Government of India does not pay us interest on our balances lying in their hands. It is a criticism which I am unable to answer: but I would point out that we are entitled to

interest on certain conditions. If we propose to spend a certain sum out of our balances and the Government of India, taking into consideration the financial interests of the country as a whole, allows us a smaller amount of money, then this Province is entitled to get interest on the difference of the amount which it proposed to spend and which the Government of India permitted to spend: but apart from that no interest is allowed. I do not think we can persuade the Government of India to break its traditional custom in this respect.

In conclusion, I would say that several Members while delivering their speeches asked to be excused for any mistakes they might have made as they were new to this Council. In other words, they showed a spirit of apology for their criticism. Let me assure this Council that so far from receiving criticism in a grudging spirit I welcome it. There exists at this time a party in the Province which seeks to show that this Council is not representative and is ineffective. It is the desire of the Government to convince the people of the Punjab that that view is an untrue view, and that this Council is representative of the people of the Province and the work which it does will be and is effective. Therefore the more intelligent, more free and more complete is the criticism which Members of this Council offer the greater will be my satisfaction.

There is just one word before I finish. Mr. Manohar Lal has referred to my dual position as Vice-Chancellor of the Punjab University and as a Finance Member. It is true. I lead a double life. The noble-minded Dr. Jekyll, that is, the Vice-Chancellor of the University, plans to make handsome grants to that learned body: and the vile and mean Mr. Hyde, that is, the Finance Member, glides promptly to the fore and cuts the grant down.

The Council adjourned till 10-30 A.M. on the 2nd March 1921.





## PUNJAB LEGISLATIVE COUNCIL.

Wednesday, 2nd March 1921.

The Council met at the Council Chamber at half past ten of the clock.  
The Hon'ble the President in the Chair.

### QUESTIONS AND ANSWERS.

#### HAFIZABAD NOTIFIED AREA.

**136. Maulvi Muharram Ali, Chishti.**—Has the attention of the Government been invited to the extract of the proceedings of a mass meeting of the inhabitants of Hafizabad (published on the 4th page of the *Tribune*, dated the 6th February 1921), protesting against the proposed scheme for the coming municipal elections there? If so, will the Government be pleased to say whether it has favourably considered the public opinion of the town in the matter?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Government has read the extract referred to in the question. Hafizabad is a notified area and no proposal has yet reached Government to raise it to the status of a municipality.

#### AMRITSAR INDEMNITY.

**137. Maulvi Muharram Ali, Chishti.**—With reference to the announcement recently made by His Excellency the Governor to the effect that the decision of realising the indemnity amount of Amritsar has been left by the Government to this Council, will the Government be pleased to provide the Members of this Council, beforehand, with the following documents:—

- (a) The Report or Reports of the authorities who adjudged the amount of the damage done in the Amritsar disturbances together with the evidence and other materials on the basis of which they fixed the amount of seventeen lakhs of rupees as compensation for the damages.

- (b) The Report of the Sub-Committee of the Municipality of Amritsar appointed to investigate the amount of the damage done to Europeans in the Amritsar disturbances together with the evidence and the materials on which they fixed the amount of compensation about two lakhs of rupees.

- (c) The resolution of a meeting of the Municipal Committee of Amritsar, held on the 12th January 1921, giving the reason for allowing compensation in case of Indians who suffered on account of happenings at the Jallianwala Bagh.

**The Hon'ble Sir John Maynard.**—

- (a) The papers in question being voluminous and not in print could not in any case be provided to Members within a reasonable period of time: and as it was open to persons interested to procure copies of the District Magistrate's declarations and assessments at any time with a view to application for revision under the law the Government do not propose to lay the papers on the table.

- (b) and (c) The papers\* are laid on the table.

\*Papers not printed.

#### AMRITSAR INDEMNITY.

**138. Maulvi Muharram Ali, Chishti.**—Has the attention of the Government been invited to a resolution of the Bar Association of Amritsar (a number of whom are leading lawyers of Provincial reputation), at a meeting held on the 14th Janu-

ary 1921, which are to the effect that the Amritsar Municipality is legally incompetent to realise the amount of Indemnity imposed on the City? If so, has the Government consulted its Legal Advisers on the law point involved in the matter and with what result?

**The Hon'ble Sir John Maynard.**—The answer to the first part of the question is yes. The Advocate-General was consulted and expressed the opinion that the municipality can impose additional taxation for the purpose of payment of such amounts under section 61 of the Punjab Municipal Act, 1911, as being "for the purposes" of the Act.

#### PAY OF MUNSIFFS.

**139. Maulvi Muharram Ali, Chishti.**—With reference to the announcement made by the Hon'ble Mr. French (on behalf of the Government) in a meeting of the Punjab Council, held about a year ago (on the 8th March 1920), which was to the effect that "the status and emoluments of the Munsiffs will be generally improved," will the Government be pleased to state—

- (a) what steps have been taken with regard to the subject and when a final announcement will be made?
- (b) whether the Government is aware of the overwhelming public opinion in favour of the Punjab Munsiffs being included in Punjab Civil Service Cadre?
- (c) whether revision of the pay of the Punjab Munsiffs will be made with retrospective effect from 1st December 1919 as is done in the case of the Officers of the Provincial Civil Service?

**Mr. G. M. King.**—The member is referred to the answer to question No. 32 put by Mr. Ganpat Rai.

**Maulvi Muharram Ali, Chishti.**—Part (a) has not been answered, as to when a final announcement will be made, and also part (c) has not been replied to.

**Mr. G. M. King.**—With reference to (a) I am not yet in a position to say anything. With reference to (c) that has also not been settled.

**Maulvi Muharram Ali, Chishti.**—Will the pay of the Munsiffs be the same as heretofore?

**Mr. G. M. King.**—They will be brought on to the cadre of the Provincial Civil Service.

#### JUDICIAL POSTS AND THE BAR.

**140. Maulvi Muharram Ali, Chishti.**—(a) Will the Government be pleased to state whether they have considered the advisability of reserving a sufficient number of judicial posts in the Punjab for competent members of the Bar, and if so, with what results?

(b) Is it contemplated to appoint some of the members of the Bar to the posts of District and Sessions Judgeship, and if so, what is the proposed number and when is that proposal likely to be carried out?

**Mr. G. M. King.**—(a) It is understood the member is referring to superior judicial posts to which direct appointment is to be made from the Provincial Bar. If so, the answer is in the affirmative. As regards the second question and part (b) I would refer the member to the answer given to-day to Sardar Bahadur Sardar Mehtab Singh.

#### MARTIAL LAW COURTS.

**141. Maulvi Muharram Ali, Chishti.**—Will the Government be pleased to lay on the table a return showing—

- (a) the names (with addresses) of the persons who are still undergoing sentences of imprisonment passed by Martial Law Courts, together with the terms of imprisonment, the nature of their offences, and the dates on which the sentences were passed?

(b) the names (with addresses) of the persons on whom the sentences of fines were passed by the Martial Law Courts, together with the amount of fine in each case and the nature of the offences?

(c) the names (with addresses) of the persons on whom sentences of fine were passed but the fines were remitted by the Local Government?

And will the Government be further pleased to state that the popular rumour as regards the general amnesty to be given to all Martial Law convicts, in commemoration of the visit of His Royal Highness the Duke of Connaught, is correct?

**The Hon'ble Sir John Maynard.**—

(a) A statement showing the names of persons still in jail who were sentenced by Martial Law Commissions which also contains the other information required, is laid on the table.

(b) A list of names of persons sentenced by Martial Law Courts to pay fines will be supplied to the member in due course.

(c) Fines have been remitted in the case of (1) Babu Kali Nath Roy, Editor, *Tribune*, and (2) Lala Shiv Ram Das, Pleader, Hafizabad.

The rumour of a general amnesty is incorrect.

#### JAGIRS AND MUAFIS.

**142. Maulvi Muharram Ali, Chishti.**—Will the Government be pleased to lay on the table a return showing the list of the Jagirs and Muafis which existed at the advent of the British Rule (together with the amounts) and which were allotted for the different Mosques, Tombs, Dharmshalas, Shivalas, Samads and Gurdawaras or other Hindu, Muhammadan or Sikh religious institutions, together with a statement showing whether these Muafis or any of them exist or have elapsed in whole or in part, and if lapsed, since what time?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The labour involved in compiling the information asked

for would be great. If the Member would kindly indicate the object of the question it might be possible to give him information sufficient for the attainment of that object without the expenditure of an inordinate amount of labour for which the public has to pay.

#### KHARAITI RAM, vs. CHHEDI AND OTHERS.

**143. Mr. Ganpat Rai.**—(a) Is Government aware that Civil suits Nos. 2222 and 2223 of 1918, decided by the Judge of Small Cause Court, Amritsar, were filed by one Khairati Ram against Chhedi, Ram Das and Jhandu for Rs. 50 and 75, respectively, on account of certain private dealings between the parties described above?

(b) Is it a fact that the C. I. D. Police took the investigation of these suits while the cases were pending in court, and enquiry was made by one Jagat Singh of C. I. D. Police? Is it also a fact that the C. I. D. Police took the defence of these suits on behalf of the defendants, and Mr. Howell, Superintendent, C. I. D., took special power of attorney for defendants, filed pleas and instructed Government Pleader, Amritsar, to conduct the case on behalf of defendants?

(c) Is it a fact that Khairati Ram protested in writing to the court that the C. I. D. Police were after him and were threatening him and his witnesses and bringing pressure on them by misusing their power?

(d) Is it a fact that the High Court of Judicature at Lahore passed orders that the C. I. D. Police should not interfere in these cases, and notwithstanding such order the C. I. D. Police continued to help the defendant to the prejudice of the plaintiff?

(e) Is the Government responsible for the deputation of, and interference by, C. I. D. Police, and appointment of Government Pleader in the above private cases, if not, will Government state which Officer or Officers are so responsible?

(f) Will Government give the total sum of money spent by the Government

giving details of the fees paid to the Government Pleader, travelling expenses of the C. I. Department and other expenses, and state to which Head or Heads this expenditure has been debited?

**The Hon'ble Sir John Maynard.**—

For some years past the attention of Government has been periodically drawn to an ingenious device practised by certain persons for annoying their enemies or levying blackmail. The device consists in this that a civil suit is lodged, against the person who is to be annoyed or blackmailed, in a court so distant from the defendant's home that he cannot attend or arrange for the defence without great expense and inconvenience, the allegation being made that the cause of action arose within the jurisdiction of the distant Court. The defendant has to choose between (1) buying off the plaintiffs, (2) letting the case go against him by default, or (3) spending money and time on the defence. In 1906 the Government of India addressed this and other Local Governments stating that the institution of such fraudulent suits was becoming increasingly common; and suggesting that the proper remedy in such cases might be prosecution under section 209, or section 210, Indian Penal Code, at the expense of the State. They suggested that the superior Judicial authorities should be moved to acquaint the subordinate Civil Court that the Criminal Investigation Department is at the service of the Courts for enquiries into cases of this character. The case to which the questioner refers is one which was believed to be of the character above described, and action was taken at the instance of the District Magistrate of Benares in accordance with the instructions of the Government of India, as the plaintiffs had instituted the supposedly fraudulent suit in the Small Cause Court at Amritsar. With this preliminary explanation I proceed to answer the specific questions put by the questioner.

The answers to Parts (a), (b) and (c) of the question are in the affirmative.

(d) It is not correct that the High Court of Judicature at Lahore passed orders that the C. I. D. Police should not interfere in

these cases. The Hon'ble Judges forwarded to Government a note recorded by the Hon'ble Judge who inspected the Small Cause Court in Amritsar and expressed the opinion that there had been unjustifiable interference by the Police in a civil suit of a purely private nature. The Hon'ble Judges asked that they might be furnished with information regarding the matter and the reasons for this interference.

(e) The action taken by the C. I. D. in these cases was taken under the authority of the instructions above referred to at the instance of the District Magistrate of Benares in the United Provinces, who referred, what appeared to him to be a false civil suit instituted by Khairati Ram against Chedi and Ram Das of Benares District in the Court of Small Causes, Amritsar, to the C. I. D. of those Provinces. The case was then passed on to the department in the Punjab. In replying to the reference from the Hon'ble Judges, His Honour the Lieutenant-Governor forwarded the explanation furnished by the C. I. D. and, while agreeing in the view expressed by the Hon'ble Judge who inspected the Small Cause Court in Amritsar, His Honour explained, for the information of the Hon'ble Judges, that the action taken by the C. I. D. officials in the particular case under reference was intended to be in accordance with the procedure laid down by the Government of India. His Honour agreed that the orders had not been properly interpreted, this being the first case to be dealt with under the procedure referred to, and instructions were issued for the future guidance of the C. I. D. in reference to cases of the kind. It may be added, for the information of the questioner, that the Judge of Small Causes in Amritsar, in both the suits referred to, found that Khairati Ram dishonestly brought a false claim and he therefore sanctioned his prosecution under section 209, I. P. O. The hearing of the cases under this section was fixed for February, the 21st, 1921.

(f) The details of the fees paid to the Government Pleader in these cases and the travelling expenses of the C. I. D. Officers concerned in the case are not available.

**Mr. Ganpat Rai.**—Has the attention of the Hon'ble Member been drawn to the order of the High Court of Judicature dated the 26th February 1920?

**The Hon'ble Sir John Maynard.**—I have referred in my answer to all the orders to which attention of the Government has been drawn.

### POLITICAL PRISONERS.

**144. Mian Muhammad Shah Nawaz.**—Will Government be pleased to state the names of persons with parentage and residence belonging to the province of Punjab who for offences against the State or under any special or emergency legislation are still suffering imprisonment or restrictions upon their liberty?

**The Hon'ble Sir John Maynard.**—A statement containing information in regard to prisoners sentenced by Martial Law Courts was laid on the table with my answer to a question asked by Maulvi Muhammad Ali, Chishti. A further statement showing political prisoners other than those sentenced by Martial Law Courts together with a list of internees is placed on the table.

*Note.*—Statement not printed.

### ACTION AGAINST PRESS.

**145. Mian Muhammad Shah Nawaz.**—What is the number of the printing presses and newspapers of the province of Punjab against whom action has been taken since January 1919 and the nature of such action and the amount of security forfeited in each case?

**The Hon'ble Sir John Maynard.**—

1. The number of printing presses and newspapers warned for the publication of objectionable articles is—

(1) Printing presses	...	...	5
(2) Newspapers	...	...	91

2. The number of printing presses and newspapers from which security was demanded or whose security was enhanced on redeclaration or in variation of an original order waiving security is—

(1) Printing presses	...	...	10
(2) Newspapers	...	2 {	The <i>Tribune</i> and the <i>Punjabee</i> .

3. The number of printing presses and newspapers the security of which was confiscated is—

(1) Printing presses	...	...	8
			Rs.
(a) Gulzar-i-Muhammadi Press, Lahore	...	...	500
(b) Muslim Printing Press, Lahore	...	...	2,000
(c) Peoples' Press, Lahore	...	...	1,000

*Note.*—An enhanced security of Rs. 10,000 was demanded from (b) and (c), but neither has deposited it.

(2) Newspapers	...	...	Nil
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4. Prosecutions—

(1) Under section 124-A, I. P. C.—

(a) Number of printing presses prosecuted	...	...	Nil.
(b) Number of newspapers prosecuted	...	2 {	<i>Tribune</i> and <i>Akali</i> .

(2) Under the Defence of India Consolidation Rules—

(a) Printing presses	...	...	Nil
(b) Newspapers	...	3* {	Includes the <i>Tribune</i>

\*One (the *Fakir*) apologized and the prosecution was withdrawn.

5. The number of printing presses and newspapers against which action was taken under Act XXV of 1867 (The Press and Registration of Books Act) is—

(1) Warning for non-compliance with section 3—

(a) Printing presses	...	...	15
(b) Newspapers	...	...	18

(2) Prosecution for non-compliance with section 3—

(a) Printing presses	...	...	1
(b) Newspapers	...	...	Nil

6. The number of newspapers placed under complete censorship under the Defence Rules is 7.

*Note.*—All newspapers in the Punjab were also required to submit all accounts of, or reference to, the disturbances of April 1919. The order was in force from the 11th April to the 24th May 1919.

## PROVINCIAL BALANCES.

### 146. Mian Muhammad Shah Nawaz.—

(a) Is it a fact that at the beginning of the War the Punjab Government surrendered to the Central Government a crore of rupees or more out of its balances on an annuity of 3½ lakhs?

(b) Will this annuity be still paid to the Punjab Government under the new financial arrangements?

(c) Has the Punjab Government moved the Central Government for the restoration of this crore of rupees to the Province? If so, will Government be pleased to lay on the table the correspondence that has passed between the Provincial and the Central Governments in connection with the surrender and restoration of this crore of rupees?

### The Hon'ble Sir John Maynard.—

(a) It is a fact that in 1914 the Punjab Government surrendered to the Central Government a crore of rupees out of its balances in return for a perpetual annuity of 3½ lakhs. The transaction however had nothing to do with the War. Its object is explained in para. 9 of Part I of the Financial Memorandum and the Government of India were approached on the subject long before the commencement of the War.

(b) The answer is in the affirmative.

(c) The Hon'ble Member is referred to para. 9 of Part I of the Financial Memorandum. As stated in the answer to the question put by the same Hon'ble Member about the correspondence with the Government of India on the subject of the Provincial Loan Account, this Government is not at liberty to lay the correspondence asked for on the table.

## PROVINCIAL LOAN ACCOUNT.

### 147. Mian Muhammad Shah Nawaz.—

(a) Will Government be pleased to state whether the amount due on Provincial Loan Account from this Government to the Central Government has been proposed to be liquidated out of the accumulated balances of the Province? If so, is the

whole debt to be paid off in a lump sum or by instalments?

(b) Will Government be pleased to lay on the table their correspondence with the Government of India in connection with the liquidation of the Provincial Loan Account?

### The Hon'ble Sir John Maynard.—

(a) As paras. 8 and 12 of the Financial Memorandum (Part I) show, the whole amount due on the Provincial Loan Account from this Government to the Central Government is being deducted from the closing balance of the province for the year 1920-21.

(b) This Government is not at liberty to lay correspondence with the Government of India on the table without the sanction of the Government of India. The subject of the taking over of the Provincial Loan Account is fully dealt with in the Financial Memorandum and in the Report of the Committee on Financial Relations of which a copy is laid on the table.

## PROVINCIAL CLOSING BALANCE.

### 148. Mian Muhammad Shah Nawaz.—

Will the Government be pleased to state what is the estimated amount of the Provincial closing balance on the 31st March 1921, and how far is it likely to differ from the budgeted closing balance?

### The Hon'ble Sir John Maynard.—

The Hon'ble Member is referred to the Financial Memorandum. The estimated closing balance on the 31st March 1921 amounts to one crore, ninety-nine and a half lakhs round. For 1921-22 a closing balance of 85½ lakhs in round figures has been budgeted for.

## GURDIT SINGH OF KAMAGATA MARU CASE.

### 149. Mian Muhammad Shah Nawaz.—

Do Government know the whereabouts of Sardar Gurdit Singh, an accused person in the Kamagata Maru case, who is said to have absconded? Is he alive? Do Government propose to give him the benefit of general amnesty if he is to be found?



**The Hon'ble Sir John Maynard.**—We have no information of the whereabouts of Gurdit Singh, nor do we know if he is alive or dead.

# EXTENSION OF RAILWAY FROM PATHANKOT TO NURPUR.

**150. Mr. Moti Lal, Kaistha.**—Will the Government be pleased to state whether there is any proposal pending for the extension of Railway from Pathankot to Nurpur. If so, what steps have been taken so far?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—In November 1919 the Railway Board sanctioned an estimate for revising the construction estimate. The Railway Board are not yet in a position to give a decision in the matter as the report has not yet reached them.

# PETITION-WRITERS' REMUNERATION.

**151. Mr. Moti Lal, Kaistha.**—Will the Government be pleased to state whether there is any proposal for fixing the remuneration of petition-writers regarding plaints, written statements, and miscellaneous applications, etc., as there is a general complaint throughout the Kangra District about their charging exorbitant fees?

**The Hon'ble Sir John Maynard.**—Government has so far received no proposal for fixing the remuneration of petition-writers, etc., nor has Government so far received any complaint to the effect that petition-writers are charging exorbitant fees in the Kangra District.

# TANKS AND WELLS IN KANGRA DISTRICT.

**152. Mr. Moti Lal, Kaistha.**—Will the Government be pleased to state how many Baulis, tanks and wells, pukka and kacha, are in the Kangra District in each village, and will the Government be pleased to state how many pukka Baulis, tanks and wells were destroyed

in the great earthquake of 1905, and will the Government be pleased to make an adequate grant for the repairs of the above-mentioned Baulis, tanks and wells, etc.?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The information asked for in the question is not available and the labour involved in collecting it would be out of proportion to the object in view. If the member would kindly indicate which Baulis, tanks and wells he would like to have repaired the question of a grant would be considered, but there is little hope of funds being available in the coming financial year.

# ARMS LICENSES IN KANGRA DISTRICT.

**153. Mr. Moti Lal, Kaistha.**—Will the Government be pleased to state how many licenses for arms for the protection of agriculture have been refused and how many granted during the last five years in the Kangra District?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Figures of licenses for arms for the protection of agriculture granted during each of last 5 years 1916 to 1920 are 1,480, 395, 420, 1,282 and 544, respectively.

Figures of refusals are not available as the refused applications are destroyed after three months under the rules.

# INCOME-TAX ASSESSMENT.

**154. Mr. Moti Lal, Kaistha.**—Will the Government be pleased to state on what principles Assessing Officers assess income-tax? Is not the present system under which income-tax is assessed ill-adapted to the Kangra District, and will not the Government recast the system?

**The Hon'ble Sir John Maynard.**—Income-tax is assessed on the principles laid down by the Income-tax Act and the rules framed thereunder. It has not been brought to Financial Commissioners' notice that the system in vogue is ill-adapted to the Kangra District. No applications have been received from the Kangra District since the passing of Act

VII of 1918, asking the Financial Commissioner to exercise his powers under section 23 of the Act. Any specific complaints or suggestion will receive careful attention and consideration.

### PAPER INDUSTRY IN KANGRA DISTRICT.

**155. Mr. Moti Lal, Kaistha.**—Will the Government be pleased to state whether there is any proposal before it to start a paper industry in the Kangra District to make paper out of paddy straw or bamboos, etc.?

**The Hon'ble Lala Harkishan Lal.**—Government has no proposal before it, at present, to start a Government paper-mill in Kangra.

Tentative proposals to set up paper-mills by private individuals have been made, but these proposals have not yet assumed any concrete shape.

### CATTLE DISEASE.

**156. Mr. Moti Lal, Kaistha.**—Will the Government be pleased to take steps to prevent the spread of contagious disease amongst animals coming from Mandi State into Palampur Tahsil and state how many cattle have died from contagious diseases during the last five years in the Kangra District?

**The Hon'ble Lala Harkishan Lal.**—The Punjab Veterinary Department is fully alive to the necessity of taking protective measures to prevent the import from Mandi of cattle disease into the Kangra District. Arrangements have been made for the reporting of any outbreaks of disease in that State to the Punjab Veterinary Department, which is ready to depute any additional staff that may be required to deal with an outbreak in the adjoining British districts.

2. The total mortality among cattle from contagious disease in the Kangra District is reported to have been 9,652 during the last five years.

### CATTLE INSURANCE.

**157. Mr. Moti Lal, Kaistha.**—Will the Government be pleased to state whether it has decided to extend the principle of Government assistance to cattle insurance?

**The Hon'ble Lala Harkishan Lal.**—Government has decided to extend the principle of assistance to Cattle Re-Insurance Unions as distinguished from Cattle Insurance Societies in cases where owing to special calamity the funds in hand of these Re-Insurance Unions are insufficient to meet claims. The exact method to be adopted is under consideration.

### WIDOWS OF SOLDIERS IN KANGRA.

**158. Mr. Moti Lal, Kaistha.**—Will the Government be pleased to state the number of widows of soldiers in the Kangra District in receipt of pension and the amount of pension enjoyed by them from 1914 to 1920?

**The Hon'ble Sir John Maynard.**—The information required has been called for from the Adjutant-General in India and will be supplied in due course. It may be added here that apart from pensions a sum of about Rs. 20 lakhs has been allotted among Punjab Districts for distribution as relief to the relatives of deceased soldiers.

### LOWER BARI DOAB CANAL.

**159. Sayad Muhammad Hussain.**—Will the Government kindly lay on table for the information of this Council—

(a) Total area of the Lower Bari Doab Canal Colony, commanded and uncommanded, including Montgomery and Multan Districts, owned by the Government?

(b) Out of this total area of the Government waste land how much has been permanently distributed and how much is in the hands of the Government?

(c) What part of it has been distributed for grants, landed gentry grants, studs,

farms, abadkars and locals (janglis), and how much has been set aside as Military grants and reserves?

(d) How much of the land has been allotted to the sons of the soil (janglis) and what unit per head has been fixed for them; is it equal to the amount per head or family given in Lyallpur and Saragodha to Janglis, or does it fall short of it? Does not this unit fixed in Montgomery fall short of the want of janglis? If so, what measures the Government is going to adopt to relieve these men now that the temporary cultivation, the only means of their subsistence, is over or about to be over?

(e) Is it a fact that thousands of the janglis hitherto leading a pastoral life in the Ganji Bar have not been given land up till now?

(f) Is not the right of these men superior to all others, and what are the reasons, if any, for not considering their claims?

(g) What steps, if any, the Government is going to take for their livelihood now that they are past the pastoral stage and no landlord is willing to give them lands on cultivation in the presence of superior tenants from other parts of the Province?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The preparation of the comprehensive statement asked for will take a considerable time. It will be laid upon the table as soon as possible.

#### LEASE OF COLONY LAND.

**160. Sayad Muhammad Hussain.**—

(a) How much land has been leased out to Rai Bahadur Ganga Ram, M.V.O., in the Colony lift area; and has provision been made in the lease for the irrigation of the proprietary area included in the plots so leased?

(b) Is it not a fact that the whole of G. and H. plots now leased out for seven years to Rai Bahadur Ganga Ram, M.V.O., on lift, could have been easily irrigated by the Upper Bari Doab Canal flow? In that

case could not practically the whole of the plots have been distributed to the public at once? If the want of any surplus water in the Upper Bari Doab Canal has been the cause for not extending it, will it not be equally detrimental to the interest of the Colony public to take water from the Lower Bari Doab Canal?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—(a) Acres 53,700 have been leased out to Rai Bahadur Ganga Ram, M.V.O., C.I.E., on the Lower Bari Doab Canal.

This excludes an area of 23,100 acres of plot D which will be taken over by Government on 1st April 1921.

Provision was made in the draft lease for the irrigation of the proprietary area included in the plots so leased, but Rai Bahadur Ganga Ram has represented that this would mean his having to lift water for these plots on to a higher level than would suffice for the other plots. The question of terms is not yet finally settled.

(b) Plots G. and H. could, from a purely engineering point of view, be irrigated from an extension of the Upper Bari Doab Canal provided sufficient water could be saved from existing irrigation. But from a commercial point of view it may be better to irrigate by lift from the Lower Bari Doab Canal. This point is under investigation.

In any case time must elapse before a final decision is arrived at and, therefore, it is not possible to distribute this area to the public.

#### LAND LEASED IN DIPALPUR AND PAKPATTAN TAHSILS.

**161. Sayad Muhammad Hussain.**—

(a) Will the Government kindly state why the proprietary rights or even occupancy rights have not been given to most of the inhabitants of Dipalpur and Pakpattan tahsils of the Montgomery District to whom lands were leased on *taht khaki* grant on certain conditions the main

one being the sinking of wells? Have not most of the lessees fulfilled their conditions and have they not been in possession of the lands without break for the last 30 years or so, and have they not spent thousands of rupees for the improvement of the land? Now that the settlement of these tahsils is in progress, will it not be proper for the Government in the interest of the welfare and prosperity of the depressed population of both the tahsils to grant them proprietary rights without charging any thing; keeping in view the heavy amount of expenses they had to incur in fulfilling their conditions and drawing very little profit thereby on account of the unsettled conditions of the inundation canals and scarcity of rain in this part of the country?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The reply to the first portion of the question is that at the last settlement of the Dipalpur and Pakpattan tahsils of the Montgomery District the question of allowing the lessees of crown lands to purchase proprietary rights in these grants was considered by Government. It was decided in 1899, in accordance with the general policy then in force, to permit such purchase in those cases only in which the leases secured to the lessees a right to purchase. Generally, in other cases fresh leases for the term of settlement now about to expire were granted. The reply to the second and third parts of the question is that all existing leases will come under enquiry and consideration in the course of the Settlement operations now in progress. The extent to which lessees have fulfilled the conditions of their leases will be included in the enquiry. Government is not at present aware that in the majority of cases unusually large sums have been spent on the development of leased lands. The question of the grant of proprietary rights to lessees will receive careful consideration, but it is improbable that these will, if granted, be granted free of charge. Government has no reason to think that the population of the two tahsils in question is in a depressed condition or that lessees generally have not enjoyed substantial benefits from their grants.

## ACTION AGAINST CERTAIN OFFICERS.

**162. Rai Bahadur Lala Hari Chand.**—Will the Government be pleased to inform the Council if any step is being taken or will be taken about those officials against whom evidence of illegality was produced before the Congress Sub-Committee?

**The Hon'ble Sir John Maynard.**—The only action taken against officials is that detailed in the statement presented to the Imperial Legislative Council on 16th September 1920.

## ELECTIVE SYSTEM IN DISTRICT BOARDS.

**163. Rai Bahadur Lala Hari Chand.**—Will the Government be pleased to introduce the elective system into the District Board Committees where it has not yet been put into force?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—The question of introducing the elective system in District Boards is under the consideration of Government.

## NON-OFFICIAL VICE-PRESIDENTS IN DISTRICT BOARDS.

**164. Rai Bahadur Lala Hari Chand.**—Till the elective system is introduced, will the Government be pleased to direct that Non-official Vice-Presidents of Committees be appointed?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—It is presumed that this question like question 163 refers to District Boards. Under Section 19 of the District Boards Act, 1883, a Vice-Chairman is always elected by the District Board and not appointed by Government.

## PERIOD OF OFFICIALS' STAY IN DISTRICTS.

**165. Rai Bahadur Lala Hari Chand.**—Will the Government be pleased to state if there is any rule in practice for the limitation of a period of an official's stay in any district?

**Mr. C. M. King.**—It is the rule that the Deputy Commissioners of the following Districts should normally not hold their appointments for less than 2½ years or for more than 3½ years—

Simla, Ambala, Kangra, Gurdaspur and Rawalpindi.

The Assistant Commissioner, Kulu, is limited to 2½ years as a maximum. The following District and Sessions Judges are normally restricted to a maximum tenure of their appointments of 2½ years—

Ambala, Hoshiarpur, Gurdaspur and Rawalpindi.

#### TIME FOR MEETING OF THE COUNCIL ON THE 3RD MARCH 1921.

**The Hon'ble the President.**—Members will see from to-morrow's agenda that the Council is due to meet at 11-30. This is because there are no questions to be put on to-morrow's agenda. Will the Government be prepared to start the proceedings at 10-30 A.M. ?

(The Hon'ble Sir John Maynard and the Hon'ble Sardar Bahadur Sundar Singh, Majithia, replied in the affirmative.)

**The Hon'ble the President.**—There are several motions to reduce and reject Government's demands for grants, and I think it will be better if the Council meets at 10-30 to-morrow, if members have no objection.

**Mr. Canpat Rai.**—I think 11 o'clock will be more suitable than either 11-30 or 10-30.

**Rai Bahadur Lala Hari Chand.**—I think 11-30 is suitable.

**The Hon'ble the President.**—There is no question of permanently fixing the time for the Council meetings. It is only for to-morrow. There are no questions, and if members desire extra time, they can make use of it. If they do not so desire, we can meet at 11-30.

(A number of members asked for 11-0.)

**The Hon'ble the President.**—Very well. The meeting of the 3rd March will take place at 11 A.M.

#### PROCEDURE ABOUT UNANSWERED QUESTIONS.

**Maulvi Muharram Ali, Chishti.**—Sir, I wish to enquire the procedure to be adopted in the case of questions which appear on the agenda, but answers to which are not forthcoming. Is it for members to repeat the question after some days, or is it for the Government to notify that the answer is ready so that the member may repeat his question ?

**The Hon'ble the President.**—The ordinary procedure is that, so soon as the answer comes in, the member is notified. He then repeats his question. This has been done to-day. But, supposing an answer is not sent in by the Government within a reasonable time, I think the member who put the question would do well to call attention to the fact that the answer was still outstanding. The proper time for raising matters of this sort is after questions, and before the business of the day begins.

#### MOTION RE SELECT COMMITTEE ON THE STANDING ORDERS.

**Sardar Bahadur Sardar Mehtab Singh.**—Mr. President, I beg leave to move the following Resolution :—

“That this Council, in exercise of the power given to it under section 11 (6) of the Government of India Act, 1919, appoints a Select Committee, consisting of the President, Deputy President, and seven members, to examine and report for amendment, if necessary, the Standing Orders issued by His Excellency the Governor of the Punjab in Council.”

Sir, under section 11, sub-section (6), of the Government of India Act, Standing Orders which have to govern the procedure and transaction of business by this Council have, in the first instance, to be made by the Governor in Council, but after that this Council can amend those Standing Orders subject to the assent of His Excellency the Governor. We are grateful to His Excellency the Governor for having made elaborate Standing Orders to govern the procedure and transaction of business of this Council, but I would say, and say strongly, that any Standing Orders which have to govern this Council should come from, and be accepted by, this Council as an expression of their own free will. That being so, it would be better for this Council to take this Resolution which I have proposed as a non-contentious Resolution, because it would safeguard our own rights, and those rights which have been given to us by His Gracious Majesty the King Emperor by Act of Parliament would not be in any way narrowed down under any of the rules and Standing Orders which have been made. There are, besides this, several points which have arisen even in the few days during which we have been sitting and during which we have been indebted to the courtesy and kindness of our President, who has allowed us to carry on our work, in spite of the defective orders. For instance, when a member is absent from the Council his questions really fall to the ground, and nobody can put those questions under the present orders, but the President has very kindly allowed some other member to put those questions on behalf of the member in whose name they stood. There is no such Standing Order, and there is a great need for such a Standing Order being incorporated in the existing Standing Orders. Besides this there are several other questions which require the attention of this Council, as to the necessity of there being Standing Orders on those points, or, at any rate the present Standing Orders being amended. For instance, there is Order No. 6 as to the meeting time of the Council. Now the President has just asked you to meet at 11 o'clock to-morrow, but if we were to interpret the strict letter of the Standing Order, the Council should always meet

at 10-30. Besides this the Council's time can be fixed and its adjournments or its taking a holiday, or something of that nature, can only be done under the directions of the Governor. I do not see the necessity under certain circumstances of approaching the Governor. We should be free to take such action according to our own will.

There is another matter to which I would like to draw your attention and that is when you have to raise a point of public interest and you have to ask for an adjournment, for the purpose it is absolutely necessary that 40 members should stand up and support that motion. . . But the question is that when we can carry on the work of the Council with only a quorum of 15 members, why should 40 members be required to support such a motion. It practically means that you cannot raise the matter of public interest at all unless you first secure the attendance as well as the assent of 40 members. These are the things which we have to consider. Then there is a Standing Order No. 63 in which the mover of the Resolution—however important that Resolution may be—can only get 30 minutes while other subsequent speakers can get 15 minutes. The President can increase the 15 minutes to one hour, but he cannot increase the 30 minutes to 31 minutes even for the mover of the Resolution.

These are few of the defects in the Standing Orders. It is more or less a formal matter, if we all agree that we want to overhaul these Standing Orders, and to examine them. There is no necessity for any lengthy speech on my part, as the Government has from the very beginning been giving this Council chances of fair working and I understand that the Resolution will not be contested on the other side. Under these circumstances it is not necessary for me to prolong the matter, and I leave it to the good sense of the House.

**Mr. C. M. King.**—Sir, on behalf of the Government the only point to which I need refer is that there is a slight error in the quotation of the section of the Government of India Act. The Hon'ble Member of the Council has alluded to



section 11 (6). The correct section is 72 (d), clause 7. If he will accept that—because there is no 11 (6)—we can accept the Resolution as it stands.

**The Hon'ble the President.**—The President has to safeguard the privileges of the Council. There is no question of the Government accepting the Resolution. It is not in the form of a recommendation to the Government.

**Mr. C. M. King.**—I beg the pardon of the Council. All I meant to say was that the Government does not oppose the Resolution.

**The Hon'ble the President.**—The Resolution before the Council is as moved by Sardar Bahadur Sardar Mehtab Singh.

The Resolution was carried unanimously.

**The Hon'ble the President.**—Under Standing Order No. 56, it is contemplated that, when a Committee of this sort is appointed, it should be elected by the single transferable vote. I think it would be better if we elect the Committee which we are now appointing in that manner, so that the same Committee will do duty under the Standing Order later on. I will, therefore, ask members to submit nominations for membership of this Committee within the next three days, that is to say, by Saturday evening. When the nominations have been put in, I will arrange the date of the election to be held. Each member who is proposed must be proposed and seconded. It is open to any member to put in two or three nominations, but he must have one proposer and one seconder.

**Khan Bahadur Sayed Mehdi Shah** spoke in Urdu, and suggested that the Committee to be appointed should consist of members to be elected on the communal principle.

**The Hon'ble the President.**—That is not in order now. That should have been moved as an amendment to the Resolution. When it comes to election, the Council will be free to elect whom it likes.

## RESOLUTION *RE* HIGH RENTS IN LAHORE.

**Mr. Ganpat Rai.**—May I kindly be allowed to move the Resolution which stands in my name first? I have asked Mr. K. L. Rallia Ram to accept my request, if you have no objection.

**The Hon'ble the President.**—I cannot alter the order of business.

**Mr. K. L. Rallia Ram.**—With your kind permission, Sir, I beg leave to move the Resolution which stands in my name, namely—

“That this Council recommends to His Excellency the Governor that in view of the abnormally high rents prevailing in Lahore it is most desirable that house allowances from Rs. 10 to Rs. 20 per cent. of the salaries be given to all Government employees on duty in Lahore according to their varying needs and conditions.”

Sir, this Resolution will naturally appeal to those who have had to live in Lahore for the last four or five years. In order to avoid any misapprehension on the subject I might be allowed to say that, personally, I belong to those classes of people who have had the advantage and easement of free quarters in Lahore. Before I go further, Sir, I would like to give an idea to the House, through you, Sir, of the growth of Lahore within the last twenty years. In the Census Report of 1901 we find that the population of Lahore was returned as 208,575, while in 1911 the population rose to 228,627; thus giving an average increase of 12.7. It might be very well, Sir, to compare Lahore with the two cities of the Punjab, that is to say, those cities (Delhi and Amritsar) which are placed in the category of class I (that is, those towns which have a population of more than one lakh). Delhi shows an increase within that period of 11.6, while Amritsar shows a decrease of .6. It might not be devoid of interest

to know how Lahore compares with the big towns of the whole of India. Calcutta gives an average increase of 9.9, Madras 1.8, Allahabad .2, Patna 1.0 and Bombay 26.2. So it is evident, Sir, that leaving Bombay aside, Lahore comes next in point of growth so far as population is concerned in the whole of India. It is a well known fact, Sir, that the Census operations for 1920-21 are now in progress. It is very hard for any one to present any accurate figures, but all students of economics who have studied the conditions here and who have a passion for statistics tell us that they expect an increase of at least 40 per cent. It is very hard to say how Lahore will come out, but we all know from our own personal experience that Lahore has risen both in point of commerce and wealth and population within the last five years more than in any other time before this period. Increase of population is of course always accompanied by good many results which do not fall within the scope of the present discussion, and therefore I leave them. But increase of population will always—if it means anything—bring in more prosperity and more wealth, which is of course always unequally divided. This fact is further illustrated when we look at the Municipal records. In 1901 the income of the Lahore Municipality accruing from octroi stood at Rs. 3,89,000. In 1911 it was Rs. 6,32,223, while in 1919-20 the income from octroi was Rs. 10,24,658. This shows how commerce in Lahore has developed. Of all the human wants, Sir, the need for dwelling houses is the greatest. Of course the economic law in regard to urban sites is that as population increases the demand will get higher, and if the demand is not met by the supply, rents will naturally go high. Landlords no doubt have got very rich; prices have gone up very high; during the last war, Sir, there was a lot of profiteering; people made a lot of money, and as a result they were able to indulge in what we may call speculation; and we all know that two years back there was a great boom and the prices went up in many cases as high as six or seven times. In order to illustrate my point I might give one or two examples. A house in Mozang which had cost the owner

Rs. 25,000 in 1914 was sold last year for Rs. 85,000, and consequently its rent which was Rs. 70 in 1914 has gone up to Rs. 210. A similar bungalow on Macleod Road was sold for Rs. 18,000 in 1910, for Rs. 37,000 in 1914, and for Rs. 60,000 last year, and within three or four months the price went from 60 to 70,000, from 70,000 to 85,000 and the last figure was Rs. 1,10,000. Its rent consequently from Rs. 70 has gone up to Rs. 150. Of course the proportion is different in different cases. Besides this, Sir, a good many factors have operated in Lahore. The conversion of the Chief Court into a High Court has attracted lawyers from all parts of the province, and they as a rule make more money than they need and in some cases more than they deserve; therefore they are always ready to pay large sums—high rents. On account of the beautification of the town, the electric installation and a number of other facilities which Lahore provides, it has attracted many people who have retired from service and who do not belong to Lahore, who instead of spending their days in some out-of-the-way place have come to Lahore. This has made Lahore a very difficult place to live in, especially for those whose salaries are not very high. The educational activities of Lahore have also affected the rents. During the last 3 or 4 years number of Colleges and Schools have sprung up and we find most of the students coming into colleges from outside. Some of the Colleges do not own their own hostels, consequently they have to rent private bungalows and buildings for which they have to pay very high rent. This difficulty is felt by Europeans as well. Most of the Europeans now live in Hotels. I know many gentlemen who have had to live, for want of a house, with private friends.

Then there is the social condition. I am given to understand that gentlemen prefer to live in Hotels to avoid social functions and social obligations because they are so expensive. Thus the people in Lahore are not only put to these hardships, alone as I will show, Sir, that even for necessities of life they have to pay more. For the records which I am just going to present I am indebted to the Director of

Land Records and they are quite authenticated. The rates which I shall put before this House refer to the month of December 1920:—

Commodity.	Lahore.	Ambala.	Ljallpur.	Amritsar.	Sialkot.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Rice (per md.) ...	18 2 0	17 14 0	16 0 0	18 0 0	16 0 0
Wheat " ...	5 12 0	6 4 0	5 8 0	5 8 0	5 4 0
Ghee " ...	91 7 0	87 0 0	86 0 0	80 0 0	75 0 0
Flour " ...	9 10 9	...	6 2 0	5 15 0	5 12 0
Milk (per seer) —	0 8 0	I have not got figures for Ljallpur and Ambala.		0 5 0	0 4 6
Mutton " ...	0 13 0	...	...	0 12 0	0 10 0

Just suppose, Sir, that a man gets Rs. 100. The question is what his food expenses will come to while he lives in Lahore. If he had gone to Gujranwala or other places it would make a very big difference to him at the end of the month. Supposing he has got a small family and for my example I am taking only a man of moderate means and not a man of very great appetite. I have not included a man of my size and of my appetite. He will have to spend if he were to use  $1\frac{1}{2}$  maunds flour, which is not much, Re. 1-8-0 more in Lahore. If he were to use Ghee about ten seers in the whole month, it will cost him Rs. 4 more. If he were to use one maund rice he will have to pay Re. 1-8-0 more. One seer of milk daily will cost him Rs. 2 more a month. One seer of mutton (in the case of a Muhammadan family two or three seers) Rs. 2-8-0 more. My figures come to Rs. 11-8-0. A man who gets Rs. 100 per mensem has to pay high rent as well as he will have to pay for these necessaries an extra amount of Rs. 11-8-0 more than what he would have paid if he had been at some other place outside Lahore. In the matter of rent in a place like Gujranwala, Sialkot and Ambala a man can get a palatial house for Rs. 20 and a bungalow for Rs. 50 or 60, but in Lahore a good bungalow cannot be had for under Rs. 200. Even if one is

lucky to get it, the difficulty is still there. I was told that the Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia, could not get a house for a long time. The difficulty is for all and not for ordinary people.

Then, Sir, the standard of life is higher in a big town. Those clerks who work in offices have to put on decent clothes because they get into direct touch with the officers. They have to keep a paraphernalia in Lahore which they can easily avoid if they were outside Lahore. Then comes the question of servants. A few years ago a servant in an ordinary house used to get about Rs. 6 or 7 per mensem with food. Now one cannot get a servant for less than Rs. 12 per mensem plus food and stealing (which is their birth-right). So, Sir, under these circumstances I submit that those who live in Lahore, are put to very high expenses and they are to pay very high rents.

Now, Sir, a large number of people, at least I have found out some 100 men, come and go to Gujranwala and Amritsar in the morning and evening because they cannot get a house in Lahore. They prefer to give money to the Railway because they find that course cheaper in the long run.

Many good officers in fact avoid coming

to Lahore. They come here temporarily only. Of course Lahore gives them good many advantages. They come here to get into direct touch with the officers. After they gain what they wanted they go away on account of heavy expenses. Under these circumstances I submit, Sir, that the claims of those Government servants who have to live in Lahore will be recognized by this Council and in all fairness they will get at least a house allowance of Rs. 10 per cent. to Rs. 20 per cent. of their salaries according to their varying needs. The Government has, I am given to understand, established this principle. In a recent *Communiqué* they have given house rent to the extent of Rs. 5 to those getting less than Rs. 100. Of course that will go a long way: but all clerks are hard hit in Lahore whether they get more than Rs. 100 or less. I refer Sir, to the calendar of the University. Page 101 shows that all matriculation students who come to join colleges in Lahore should pay an admission fee of Rs. 3, while students who join mufassil colleges have only to pay Rs. 2. They pay Re. 1 more than the mufassil students because it is contended that in Lahore besides the advantage the up-keep of playgrounds of colleges is higher. When Government has recognized this principle in the case of Lahore I hope that when the Government takes money, it should also be prepared to give money to those who are in need of it. I am sure they will all appreciate it.

**Khan Bahadur Raja Muhammad Akbar Khan** spoke in Urdu and said.—My learned friend has proposed an increase of allowance by 10 or 20 per cent. in the salaries of the Government servants residing in Lahore.

I think no permanent good can be done by this increase.

The house proprietors are continuously increasing the rents of the houses.

A house which one could obtain for Rs. 10 some years ago is not to be had for even Rs. 40 per month now.

Therefore I beg to move an amendment and propose that instead of the proposed

increase, the rentals be fixed with a view to prevent the house proprietors from increasing the rents of their properties.

**Mr. Manohar Lal.**—I rise to a point of order. It is not an amendment to the Resolution, because the gist of the Resolution was that some allowance should be given to certain employés, and here is an effort to fix certain rent law.

**The Hon'ble the President.**—I think the amendment is in order.

**Mian Ahmad Yar Khan, Daulatana.**—Sir, I am afraid we will be accused of possessing very short memories if we supported this Resolution. Almost all the speakers indulged extravagantly in praising economy and appealed to the House fervently for saving the provincial finance from bankruptcy in their speeches during the discussion of the Budget.

And now, Sir, here is a scheme proposing an increase in the servants' salaries which though insignificant in an individual case will assume the shape of an unbearable burden when a total is made thereof.

I wonder why the remedy of this evil has not been sought at the right place. If the rents of the houses make the position of the servants living in Lahore untenable, Government ought to be approached to pass the Rent Act, limiting the rights of the greedy capitalists and putting restrictions to the avaricious demands of the house proprietors.

It is but a truism that the house proprietors of big cities have developed a sense of selfishness that makes them blind to the principles of equity and justice and the sooner they are reminded of their duties as members of a civil society the better.

It is true that the public servants living in Lahore have to face many hardships with regard to their housing arrangements and other necessities of life, but they enjoy the privileges and advantages that are only obtainable at the capital of our province. They must pay by a mental worry

the price of so many mental luxuries. I am afraid we cannot indulge in considering the individual interests of each section of the population of this province. It is the happiness of the numbers that should be our ideal, not the gratification of the cravings of classes taken individually.

Now that we have assembled to take an active part in discussing the destinies of our province let us resolve to be guided by the accepted principles on which the fabric of civil society should be mainly based.

Even if this Resolution is accepted, I have grave doubts that it will prove efficacious. No increase of pay will meet the demands of the greedy house proprietors or the inexorable dealer in the necessaries of life.

Let us, therefore, try to find one effective remedy instead of many quack panaceas. Rent Act and Limitation of Prices Act are things that are wanted and we should hasten to recommend the adoption of these measures if we are earnestly desirous of ameliorating the condition of the oppressed public servants residing in Lahore or other big towns.

Therefore, I beg to oppose this Resolution not for want of sympathy for my brethren in question but with a view to find a better cure for their ailments.

**Pandit Daulat Ram, Kalra.**—Sir, I have every sympathy with the Resolution that has been moved by Mr. K. L. Rallia Ram, but I have to invite your attention to rule 60 of the Standing Orders. You will see, Sir, sub-section (c) says "it shall not relate to any matter which is not primarily the concern of the Local Government." Mr. K. L. Rallia Ram mentions all Government employees. All "Government employees" includes all officers, and it is not in the power of the Punjab Government to increase their allowances, for which a reference can only be made to the Secretary of State for India or to the Government of India. Therefore, Sir, on this point and on the point that where he has suggested that 10 to 20 per cent. be given, he has not stated to whom 10 per cent. should be given and to whom 20 per cent. should be

given. Standing Order 60 (a) states "it shall be clearly and precisely expressed and shall raise a definite issue." Because it is not mentioned to whom the 10 per cent. should be given and to whom 20 per cent. should be given, I say, Sir, that the Resolution is not in order. Further, Sir, the recommendation is made to His Excellency the Governor and not to the Governor in Council. According to rule 24 "any such Resolution shall have effect only as a recommendation to the Government." Any recommendation made to His Excellency alone is not a recommendation made to His Excellency the Governor in Council."

**Chaudhri Bans Copal** spoke in Urdu and said.—I wish to point out to the House the effect that the proposed increase will eventually have on the administration of this Province as a whole.

The officers generally do not like to be transferred to Lahore on account of their inability to get suitable houses easily and at a cheap rate of rental. Consequently, they desire to stay away from Lahore and consider Lahore a sort of Andamans for public servants.

As a result of this the other districts get efficient officers, who to ward off a transfer to Lahore try to do good work in their distant headquarters.

If the increase is sanctioned every officer will try to come to Lahore which, but for this inconvenience, is attractive in many ways for the Government officials."

**Sardar Bakhtawar Singh** spoke in Urdu and said.—I rise to oppose the Resolution as it intends to benefit only those Government servants who are stationed in Lahore.

The rise in the rate of rents is general and every district headquarter is groaning under this burden.

Montgomery, which is but an unimportant place as compared with Lahore, shows a remarkable increase with regard to the rents of the houses.

Perhaps the Hon'ble Member has lost sight of one fact. The Government officers who are stationed in Lahore are of a higher status and their appointments carry more salaries than those who are stationed in Muffassil Districts and they can afford to pay for the comforts that are only obtainable at Lahore.

With regard to the *Rent Act* I would like to suggest that it will inflict hardships on the proprietors of houses who spend enormous sums of money on the buildings used by the people. Therefore I beg to oppose both the motion and the amendment.

**Maulvi Muharram Ali, Chishti** spoke in Urdu and said.—I wish to make a few remarks on the subject matter of the Resolution.

I think my learned friend Mr. Rallia Ram does not aim at an increase of pay for all the officers serving under the Government.

The Resolution is worded too generally and if it is carried liberally the treasury of our province will have to declare its insolvency.

Therefore I beg to suggest to the Hon'ble Member to withdraw his Resolution and to submit it in the proper form on some future occasion.

**Sardar Bahadur Sardar Mehtab Singh.**

—I too sympathise with the Hon'ble Mover of this Resolution, and I am strongly of opinion too that the necessities of life at Lahore are very dear. And as has fallen from the lips of one of the members of this Council probably the best men are selected from the province to represent the official agency here. They should not be sent here as if they are being sent to the Andamans. In fact they do not come here of their own free will; they do not come here just like so many other people come to enjoy the benefits of civilization—electric light, motors, good roads, good society and easy access to officials. They come here to work as officials, and if this Resolution had been framed, as Maulvi Muharram Ali, Chishti, has suggested, to help to support

officials, then we would have known that its sphere of action is limited and that it would not cost very much money, and that it was a very necessary measure indeed. As a matter of fact in coming to Lahore subordinate officials do not benefit in any way. They have none of the advantages which men of higher status have; on the contrary they are subject to bad climate, bad houses to live in, bad necessities of life which cannot be had in a pure form; and they have every disadvantage in coming to Lahore to work hard here. In order to attend their offices they have to go long distances and they have to spend money on ekkas or other conveyances, and they are certainly subjected to many temptation in the way of doing their work for some consideration, or for showing favour or disfavour in their official capacity to anybody who comes across them.

Therefore I agree with the mover of the Resolution that it deserves our sympathy and that this increment of 10 to 20 per cent is not much. But as the Resolution stands in an indefinite form and as it would mean in its present form that His Excellency downwards would get an increment, which this Council is not prepared to give and which we believe is not the purport and intention of the Hon'ble Mover, I am constrained to say, Sir, that in the present form we cannot accept it and that in its present form it must be withdrawn and moved later on in a more exact form.

**Diwan Bahadur Raja Narendra Nath.**—

I have heard the speeches made in support of the Resolution and also those against the Resolution. Mr. K. L. Rallia Ram has in the course of his speech moving the Resolution given many statistics, but he has not exhausted them. There is one fact to which he has not drawn the attention of the members of the Council and if the attention of the members of the Council had been drawn to that fact, I think that many of the speeches which have been made in opposition would not have been made. House allowance is given to Government servants of a certain grade in Presidency towns, and the conditions in Lahore are becoming very similar to those prevailing in Presidency towns. I do not think that it is necessary to adhere to the



letter of the Resolution. The Resolution simply purports to make a recommendation to His Excellency the Governor. The exact scope of the application of the concession which is advocated is to be thought out by His Excellency himself. With regard to what has been said about the need of economy I say that the recommendation embodied in the Resolution is not to be put in action at once. It is a recommendation which will take time to have effect and I think that by the time the matter ripens our finances may be improved. So, I lend my support to the spirit of the Resolution as also to much of its letter. I do not think we need go into details, and if certain details which should have been included have been omitted it is immaterial.

**Mr. Ganpat Rai** spoke in Urdu and said.—The Members of this House, who have come from outside, would have realized in a few days' stay in Lahore the cost of living that it entails, and they will therefore sympathise with the mover. Mr. K. L. Rallia Ram should not have included 'all' Government servants in his Resolution. I would suggest that he should withdraw the Resolution and bring it up again after suitable modification.

**Rai Sahib Lala Thakar Das** spoke in Urdu and said.—I must first thank Mr. K. L. Rallia Ram for the pains he has taken in bringing this Resolution before the Council in such a lucid manner. He should have, however, limited his Resolution to only a certain section of Government servants. I support Mr. Ganpat Rai and would ask the mover to withdraw his Resolution for the present.

**Rai Bahadur Lala Sewak Ram**.—I will say only a few words. It is very generous of Mr. K. L. Rallia Ram to bring this Resolution before this Council, but I would like to suggest that it should be more definite because simply saying that house allowances from Rs. 10 to Rs. 20 per cent. of the salaries be given, is not definite. I would like to suggest to him that he should put it in a definite shape—Rs. 10, 12 or 15 per cent. He should then alter the Resolution to the effect that such an allowance should be given to all Government non-gazetted employees. If he

makes these two alterations I suppose the Council will gladly agree to support this Resolution, otherwise under his vague and indefinite conditions nobody is willing to support the Resolution.

**Rai Bahadur Lala Hari Chand**.—Sir, just to avoid waste of time, will you kindly ask Mr. K. L. Rallia Ram to withdraw the Resolution?

**The Hon'ble the President**.—Mr. Rallia Ram, do you propose to withdraw the Resolution?

**Mr. K. L. Rallia Ram**.—No, Sir, I will give an explanation.

**Mr. B. T. Gibson**.—I do not think I need take much time in opposing the Resolution because it is clear from the speeches that we have heard that most of the Hon'ble Members are opposed to it in its present form.

Government fully realises the existence of abnormally high rents in Lahore and the inconvenience and difficulty thereby caused to Government servants on low pay, but doubts if the remedy proposed by the Hon'ble Member would afford a satisfactory solution. One reason against the proposal is that the grant of a house rent allowance to all Government servants in Lahore might conceivably act as incentive to their landlords to raise the rents further. Another reason against accepting the Resolution is that the rise in rents is due to the recent abnormal rise in the value of the land, to the rise in the cost of materials and labour and to restrictions on building due to the War owing to which the demand for houses far exceeds the supply. There are, however, grounds for hoping that the rise, in part at least, is only temporary and that rent will fall when the general downward movement of post-bellum prices, which has begun in Europe and America, extends to India. Further, it is a well known economic law that demand creates supply and the existence of a keen demand for houses should result in the near future in an increased supply.

A third and more practical reason for opposing the Resolution is on

financial grounds. The grant for house rent allowance to all Government servants in Lahore would entail very heavy expenditure, for which as the Budget Statement of the Hon'ble Member, for Finance, shows, the Government is not in a position to find funds. If a house rent allowance were granted in Lahore Government would probably be unable to resist similar applications from officials stationed in other expensive stations. During the discussion of the Budget most unofficial members, including, I think, the Hon'ble mover of this Resolution, impressed on Government the necessity of exercising the utmost economy and the present proposal is hardly consistent with the way of economy. For the above reasons Government prefers to try to meet the difficulty in other ways. For instance, it has recently sanctioned liberal increases of pay to its employees on account of the general increase in the cost of living. In addition an allowance of Rs. 5 per mensem has been sanctioned for clerks in Government employ drawing Rs. 95 per mensem or less, who are stationed in Lahore, on account of the expensiveness of the City. Another method of meeting the difficulty is by providing Government quarters. Houses for gazetted officers in Lahore are already being constructed, while Government have under consideration a scheme for providing quarters for clerks in the suburbs of Lahore and this scheme, if carried through, will do much to mitigate the difficulties caused by the high pitch of house rent in Lahore. At the same time it is necessary to point out that residence in the capital of the Province confers many advantages such as extra educational facilities and many amenities of life, which do not appertain to residence elsewhere. On all the above grounds it is not, at present, proposed to take any further step in the direction recommended by the Hon'ble mover. I would now turn to the amendment. With due deference to the ruling which has been given I would strongly urge that this is not an amendment at all. The original proposal is for house rent allowance to all Government officials stationed at Lahore. The amendment converts the proposal into something entirely different. I fail to see how this can possibly be classed as an amendment

to the original Resolution. I would suggest that the Hon'ble Member who moved the amendment should withdraw it and he can move it again at some other time in the form of a separate Resolution. The question raised by him is

**The Hon'ble the President.**—The Member should discuss the amendment on its merits.

**Mr. B. T. Gibson.**—I beg your pardon. I saw the amendment this morning for the first time. I am, therefore, not in a position to discuss it on its merits.

**Mr. K. L. Rallia Ram** spoke in Urdu and said.—I must express my regret and confess that my Resolution has not been received in the sense that I wish to convey.

It is clear that by Government servant I meant those who belong to the Subordinate list.

I wish also to remark that this Resolution proposes only to recommend the case of the members of the Subordinate staff. We cannot order the Government to accept our Resolution, we can recommend to them to consider their case favourably. I am glad the Hon'ble official member has assured the house that Government views the question with sympathy and consideration and feels the gravity of the question.

Therefore I beg your leave to withdraw the Resolution.

**The Hon'ble the President.**—The motion now before the Council is that leave be given to withdraw the Resolution.

The Council unanimously agreed that the Resolution be withdrawn.

The Resolution was withdrawn accordingly.

#### TIME OF ADJOURNMENT.

**Maulvi Muharram Ali, Chishti** spoke in Urdu, and requested the Hon'ble the President to adjourn the meeting at 1 P.M. to permit the Muhammadan members to wait upon His Excellency at 1-15.

**The Hon'ble the President.**—Strictly speaking this matter should have been raised after questions. But I will arrange accordingly.

## RESOLUTION *RE* EMOLUMENTS OF ZAILDARS AND LAMBARDARS.

**Mr. Ganpat Rai** (spoke in Urdu).—With your permission I beg to move the Resolution standing in my name. That this Council recommends to His Excellency the Governor-in-Council that the emoluments of zaildars and lambardars be raised for the present to double the amount which is paid to them now.

The Hon'ble Members of this Council are fully aware of the duties that have to be performed by zaildars and lambardars. I shall, however, try to enumerate them briefly for the benefit of those who may be unfamiliar with them. They have to report all crimes and criminals of their respective areas to the police. They have to help the police in putting a stop to crimes, and apprehending the criminals. They have to attend all the officers during their tours in their zail and lambardari areas. They have to arrange for the repairs of roads. They have to make known to the people all the orders of the Government issued from time to time. There are other duties than these... I mean the unwritten duties that these helpless people have to perform. They have to suffer if the revenue and cesses of their areas are not paid. They have to help in the levy of income-tax. They have to arrange for the facilities of education. They have to look after the sanitation and supply of water. They have to see that the officers on tour get their daily *Dāk*. In other words they have to perform everything ranging from the work of a post-carrier to an engineer of Public Works Department. These are open secrets and everybody feels sympathy for them. Therefore it is but just that they should share the increase of salaries now enjoyed by all the members of the Subordinate Service.

**Khan Bahadur Sayad Mehdi Shah** spoke in Urdu and said.—The picture drawn by Mr. Ganpat Rai of zaildars and lam-

bardars is one-sided. I do not think they are in such a miserable plight as has been depicted by him. I have been a zaildar for the last 2 years. I can only support him in this that the work to be done by them has increased and that the times have changed. Therefore I beg to support the Resolution for the increase of their emoluments.

**Sardar Raghbir Singh** spoke in Urdu and said.—I beg to lend my support to the Resolution as I know that the salaries of zaildars and lambardars are too insufficient to satisfy their mere wants. Rupees two hundred do not suffice for the maintenance of a horse even which they have to keep.

I may also add that these office-holders are necessarily under the tahsil officers and suffer many hardships at their hands.

They have to administer to their pleasure in order to ward off the dangers of their displeasure. They have to incur great expense consequently.

The times have changed and with them the demands of the people.

I beg to support the Resolution therefore and suggest that increment be granted.

**Sayad Muhammad Hussain** spoke in Urdu and said.—If no increase is accepted in the salaries of zaildars and lambardars I apprehend the offices will soon be deprived of the services of capable and efficient men.

I may inform you that in Dipalpur Tahsil many zaildars have resigned their places on account of insufficient salaries.

The Government should take some measure to redress the grievances and I propose that the Resolution of Mr. Ganpat Rai be accepted.

**Sardar Kartar Singh** read out his written speech.—Zaildar is a chief executive officer of his zail. His duties are numerous. Rule 170 of the rules made by the Financial Commissioner under section 23 of the Punjab Land Revenue Act imposes on a zaildar several duties. He has to report heinous crimes and offences to the Police and the Magistrate. He is to see that the land revenue is collected and paid at proper time into the Government trea-

sury by the lambardars of his illaqa. He is also to see that the Patwaris and lambardars of his circle do perform their duties although he cannot interfere with their work. He is also to see that no Government property in his illaqa is damaged. He is also to see that the roads are kept in good order. He is also required to help in the assessment of income-tax. He is further required to attend to the convenience of various Civil, Police, Canal, Military and other officers of different departments who happen to tour in his zail. He is required to give them every possible assistance he can.

He is further required to take part in all police investigations of offence, etc., that take place in his zail. In addition to the above he is required to promulgate in his zail all orders and notices issued by various departments. He is required to carry out the orders, not only of Canal, Civil, Police and Military officers but that of Transport, Registration, Census, Vaccination and Veterinary Departments. Thus he has often to serve several masters at one time. Those of us who have taken part in the recruiting campaign during the great war know how the zaildars zealously and vigorously helped in recruiting. They had not only to furnish the recruits themselves but they had to see that the villages in their zails do make up their quota. They also helped in the collection and realisation of war loans and several other subscriptions towards various war relief funds. But for their loyal and faithful efforts the recruiting campaign would have been a failure.

They have further to bring to the notice of authorities all bad characters residing in their zails. They are also required to keep a register of horses, camels and bullocks fit for Transport Departments and no sooner they receive an intimation of the arrival of the Transport Registration Officer they have to inform the owners of the registered animals to take them to the place where the said officer wants them to be taken.

The zaildars are further required to attend meeting or darbar held at the head quarters of the district or tahsil. No travelling allowance is allowed to them

and they have to incur travelling expenses from their own pocket. Their scanty emoluments are often swallowed up by their travelling expenses.

It is further expected that they should keep a decent horse as it is impossible for them to perform their duties without one. They are allowed no horse allowance even and the expenditure of keeping a horse now-a-days is much more than the emoluments of the zaildars allowed them.

The keeping of a horse now-a-days does not cost less than one rupee a day. It means therefore that a zaildar has to spend Rs. 365 per annum for the maintenance of horse while he gets Rs. 250, Rs. 200, or Rs. 150 only according to his grade.

The emoluments of the zaildars were fixed at the time of the 1st settlement. At that time a rupee was four or five times more valuable than the rupee now-a-days, i.e., the purchasing power of a rupee in those days was much greater than it now is.

The richest, respectable and most influential man of the zail is appointed a zaildar. He has to spend almost all of his time and energy in the performance of his duties as a zaildar. He cannot find any time to attend to his private work. His private business is almost neglected. But look at the emolument he is given.

An ordinary street labourer does now-a-days earn more than one rupee a day. But look at the wages of a third grade zaildar who gets 6½ annas per day and 2nd grade zaildar who gets 8 annas 10 pies per day and 1st grade zaildar who gets 11 annas per day only.

The zaildars are most lowly paid and most heavily worked servants of the Crown.

They have also to keep up their social position and have to keep a horse. The present high prices of necessities have also to be taken into consideration. The budget estimate of the next year presented by the Hon'ble the Finance Member shows that the salaries of gazetted officers as well as of all non-gazetted subordinate staff have been increased. But I am unable to find how the Hon'ble Finance Member

omitted to notice the claim of zaildars to an equal treatment with other public servants.

Taking into consideration the fact of rise in the prices of the necessities of life and also the numerous duties that the zaildars have to perform and the time that they have to devote to faithfully discharge their duties and the position and status of the incumbent of the office, it is highly desirable that their emoluments be doubled at least.

Lambardars of the villages are also entitled to have their emoluments doubled. They have to perform innumerable duties connected with the office of a lambardar.

They have to collect land revenue and water rates from the zamindars of the village and have to deposit the Government dues in the treasury. Their other duties are mentioned in the rules framed by the Financial Commissioner and in section 45 of the Criminal Procedure Code. They have to report all heinous crimes that take place in their villages. They have to help the general administration and are required to take part in all investigations.

Their emoluments are quite incommensurate with their services to the State.

The zaildars and lambardars are most useful servants of the Government. The Government should pay them liberally for their services. They should further lend the services of a peon to the zaildars for circulating notices and orders issued by various officers.

With these remarks I very strongly support the Resolution.

**Rana Muhammad Jamil Khan** spoke in Urdu and said.—I enjoy the privilege of being a zaildar of 55 years' standing. I grant there was a time when we were big bodies. The respect paid to us was great and our offices were enviable. But now those times are gone; we have to spend to get the work done, and win respect. The *begar* is a thing of the past.

If we are required to do our duties, and do them honestly and honourably, our salaries must be revised.

I beg to support the Resolution of the Hon'ble Member.

**Mr. P. J. Fagan.**—Sir, I think, it would be perhaps convenient if I venture to intervene a few remarks at this stage of the debate. I have listened to the speeches of the Hon'ble Mover and his supporters with very considerable interest, and there is one point from which they abstained in the remarks which they addressed to the Council, i.e., the financial aspect of the matter which forms the subject of the Resolution before the Council. It will probably be convenient for the members if I briefly remind them of the system on which the lambardars and zaildars, respectively, are remunerated. Briefly, they are as follows:—

Lambardars receive 5 per cent. surcharge on the land revenue which they collect. It is traditionally known as *pachotra* or *lambardari* cess. In addition to this, where there is canal irrigation and the occupiers of irrigated land are under their charge, the lambardars receive 3 per cent. as a deduction from the gross collection. The Council will, I am sure, appreciate the essential difference between those two items. The *pachotra* is a charge on land revenue payers and landowners over and above the land revenue which they pay to the State. But the 3 per cent. deduction from owners and occupiers of irrigated lands is not an extra charge from the occupiers or irrigators but it is paid by Government from its gross receipts. The remuneration of zaildars is paid from the fund which consists of a deduction of one per cent. from the land revenue of the tract, generally a district, for which the fund exists. That also the Hon'ble Members will, I hope, appreciate that the charge is borne by the State and is not an extra charge obtained from the landowner or revenue payer. The Resolution does not in terms mention the case of lambardars or *sufedposhes*, but I believe he will be the subject of certain amendments which are on the agenda paper and I may as well deal with his case at the same time. He is remunerated on exactly the same system as the zaildar, but the deduction in his case is  $1\frac{1}{4}$  per cent. I may further ex-



plain that this fund for the remuneration of zaildars and inamdars is paid actually to zaildars and inamdars by fixed annual payments which are arranged in grades, generally three grades. I hope that these few remarks will have made clear the system on which the remunerations with which the Resolution is concerned are paid.

Now, Sir, it is, I think, necessary for me to invite the careful attention of the Council to certain financial figures which I have to lay before them bearing on this matter of remuneration. The total land revenue of the province, including that sum which is credited to the Irrigation Department as indirect irrigation revenue, amounts to some 450 lakhs a year on the average. That is, I think, a fair approximate figure, but out of that sum one has to deduct certain revenue which is technically known as "other land revenue" and which consists of such items as the prices of Government waste land which is sold, or the price of Government estates which are sold, and various other items of that kind. And after making those appropriate deductions, the total amount of land revenue upon which the *lambardari* cess is charged as an extra, and from which by deduction funds are obtained for the remuneration of zaildars and inamdars, amounts to a figure which may, I think, approximately be taken as on the average 400 lakhs. We also have to consider the collections on account of occupiers' rates, deductions from which provide another portion of the *lambardars'* remuneration. The total collections on account of occupiers' rates in the province may approximately be put at an average of 285 lakhs a year. Well, taking those figures of 400 lakhs and 285 lakhs, which I have endeavoured to explain to the Council, and applying to them the proper percentages, the account stands as something approximately like this. The total remuneration of *lambardars* comes to 28 lakhs of rupees for the province; of that 20 lakhs is obtained by the *pachotra* cess at 5 per cent. on 400 lakhs. The other eight lakhs is a very moderate computation of the 3 per cent. deduction on

the total average collections of occupiers' rates. So that we have for the remuneration of *lambardars* in this province annually an expenditure of 28 lakhs, 20 lakhs of which is an extra cess chargeable to landowners in addition to land revenue, and 8 lakhs is a deduction from the total occupiers' rates which if not deducted would be part of the revenue or the income of the State. The zaildars' remuneration at one per cent. on 400 lakhs comes to a total of four lakhs. Practically the whole of that is paid by Government. I say practically the whole, because assignees of land revenue have to submit to the deduction of one per cent. from the amount of land revenue which under their grants they enjoy, and the total of that comes to about Rs. 3,000. So that, we may take four lakhs as being approximately the amount which Government pays from its income for the remuneration of zaildars. For inamdars, as I said just now, the remuneration is at the rate of  $1\frac{1}{4}$  per cent. as against 1 per cent. in the case of zaildars, and that gives them an extra lakh of rupees. So that, including inamdars and *safedposhes*, the total payments to zaildars, *lambardars* and inamdars in this province is 33 lakhs of rupees a year, or one-third of a crore of rupees, out of which 20 lakhs is the extra contribution of the land revenue payer and 13 lakhs is what is paid from the Government treasury. I am afraid those figures are rather complicated, but I hope that I have succeeded in conveying some idea of their financial effect to all the members of this Council.

Well, Sir, after what I have said it is perhaps scarcely necessary for me to dwell at any length upon the financial results of the proposal embodied in the Resolution which has been moved by the Hon'ble Mr. Ganpat Rai. The broad result is that one-third of a crore of rupees more annually will be expended on *lambardars*, zaildars and inamdars in this province. The burden of 20 lakhs of that amount will fall upon the land revenue payers of the province. Well, Sir, we have during the last few days listened to some somewhat lugubrious and doleful accounts of the present condition of the



zamindars of the province, and one cannot but help being struck by a certain inconsistency between their conditions as they have been portrayed and what will be the financial results of the Resolutions moved by the Hon'ble Member. I hope that in moving it he is more or less inclined to agree with me that those accounts have perhaps been somewhat overdrawn, but still the fact remains that he proposes to saddle the land revenue payers of this province with an additional annual burden of 20 lakhs of rupees. Well, however that may be, I presume that Hon'ble members who are apparently prepared in considerable numbers to support this Resolution, have satisfied themselves that when they go back to their constituencies they will be able to offer to their electors other than zaildars and lambardars a convincing explanation of the necessity and justice of throwing this extra burden on their shoulders.

The second result of course will be that there will be an additional financial demand annually on the finances of the province of 13 lakhs of rupees, of which 8 lakhs will go to lambardars and 5 lakhs to zaildars and inamdars. Now, Sir, again in the course of the last few days we have heard warnings of varying degrees of gravity against financial extravagance and against the impracticability of increasing our revenue. Well, Sir, it seems to me that there is some inconsistency. We have had warnings against extravagance intermingled with proposals for more or less profuse expenditure in various directions, and the present Resolution can, I think, take its place among the latter class of suggestions. Well, Sir, it has struck me that there is a certain amount of what I may call inconsistency between the one line of advice and the other. It is not for me to criticise that position. It would be scarcely relevant to the subject matter of this debate. I will content myself with this one remark, that if financial inconsistency of that kind is to become anything like the permanent feature of the deliberations of this Council, it has before it administrative confusion coupled necessarily with administrative inefficiency.

And now that brings me to a consideration which seems to me to bear on the question which has been raised in this Resolution, both as regards the interest of the land-revenue payer and also the interest of the Government treasury, and the question briefly is this—I must bring my remarks to a speedy conclusion, but the question briefly is this—is the enhancement needed on economic grounds, that is, on the general question of supply and demand of claimants to vacant posts? In this connection I think it is fair to remember that the remuneration of zaildars and inamdars, their emoluments, are not a wage or salary on which they depend for subsistence. I think that there is a very definite line of differentiation between those emoluments and the salaries of officials and the wages of workers and labourers. The zaildars and lambardars are generally landowners who depend mainly on the produce of their land. Their remuneration is remuneration with a duty incidental to posts which in themselves are highly valuable and cannot be regarded as wages, pure and simple, for official work. The honorary aspect of these posts must not be neglected, and I am quite sure that the holders of them and those who would like to be the holders of them fully appreciate that honorary aspect. Turning to the direct question of supply and demand, I need not dwell at length on the mournful pictures which have been drawn to-day and the hard position of the zaildars and lambardars. The question simply is this. Under those conditions can one expect any enthusiasm for those posts? One would expect to receive continued resignations for those posts and very little information to press claims to succeed those posts. Now what are the facts? Has any Deputy Commissioner any difficulty in obtaining these posts and compelled claimants to come in? This Council has no reasons to press their claims.

My judicial work is concerned with applications for revisions and appeals by those whose claims have been disallowed and who come and press me to accept them on the posts of lambardars and zaildars. So on the economic grounds there

is no case for this unsolicited remuneration which the Hon'ble mover wishes the Council to recommend. All that I am going to say is that I do not think there is any actual claim for this additional remuneration and the position that Government takes is, taking everything into consideration, that this recommendation is not based on grounds either of justice or expediency or necessity.

**Rai Bahadur Lala Hari Chand** spoke in Urdu and said.—I oppose the motion. Zamindars are not in a position to bear the additional burden. I myself am a lambardar and can say that pay is not the chief consideration for these posts, but the people wish to become lambardars in order to be respected by the villagers.

**Sardar Bahadur Sardar Mehtab Singh** spoke in Urdu and said that the members should pay full regard to the financial aspect of the matter. It was curious that in spite of all the hardships and pecuniary loss entailed by these positions a large number of men were desirous to get them. The fact was that these offices carried with them great respectability and power. The zaildar had the ear of the Government. The police took bribes through lambardars. Squares of land, and Khillats were given to lambardars. The condition of lambardars was not bad. The members should vote with a full sense of responsibility.

**The Hon'ble the President.**—I draw the attention of the Council to the fact that it is already 10 minutes past 3, and the Council has to rise at 4. I do not know whether the Council wishes to discuss the remaining two Resolutions on to-day's agenda or not. At present we have not yet even reached the stage where the amendments to the Resolution under discussion have been taken up.

**Khan Sahib Chaudhri Fazal Ali** moved the following amendment to the Resolution of Mr. Ganpat Rai:—

(i) The word 'sufedposh' be added after the word 'zaildar' in the 2nd line.

(ii) The words 'at least' be added after the word 'present' in the 3rd line of the Resolution, and

(iii) That at the end of the Resolution the following words be added—

"and that every zaildar be provided with a peon also."

The speaker then made a speech in Urdu in which he said that it would not be right to leave the sufedposhes out of the Resolution. A chaprasi was also a necessity, said the member. It was wrong to describe the duties of these village officials affirmatively, the question was as to what was not their duty.

**Sardar Bakhtawar Singh** spoke in Urdu and moved the following amendment:—

(i) That the words 'for the present' be omitted altogether, and

(ii) At the end of the Resolution the following words be added:—

'and the pay of the sufedposhes be fixed at half the amount of the present emolument of the zaildars.'

He said that the Resolution having been proposed and discussed in Council, there would be great discontent among the zaildars, lambardars and sufedposhes if it were not carried.

**Mian Ahmad Yar Khan.**—Sir, the amendment of which I gave notice I beg to withdraw, and with your permission I want to make a few general remarks on this Resolution. It is now a matter of common knowledge, after the contention made in the authorized statement of the budget, that the income derived out of the irrigation and revenue cesses amounts to no less than 7 crores, and the *pachotra* which goes towards the payment of lambardars is subscribed to this item of income. If the amount which is already paid to zaildars and lambardars is doubled I am afraid it will assume a shape which may cause apprehension to the greatest financial expert. The zaildari post is an honorary post, we have it for *izzat*, and there is no zaildar who performs the zaildari as a paying job. The post of the lambardars are quite different. They depend upon the revenue, their respective lambardaris' yield, and if we double their pays some who get very little pay now they will not even be satisfied then, and those who get even much more than they

ought to get they will be getting still more. Under these circumstances, observing that there is very little time, I beg to oppose the Resolution.

Mian Muhammad Shah Nawaz spoke in Urdu and said he had desired to consult the zaildars of the Lahore District but the Seditious Meetings Act had hindered him. The honour of zaildars and lambardars was vicarious. Honour did not mean that people should not be paid. He agreed with Chaudhri Fazal Ali in saying that corruption amongst these people should be eradicated. He assured the Financial Commissioner that he was for co-operation, but if the zaildars were not paid they would join the non-co-operation movement.

He suggested that for the present a 25 per cent. increase should be effected.

Khan Bahadur Rai Wali Muhammad Khan spoke in Urdu and supported the Resolution.

Dewan Bahadur Raja Narendra Nath spoke in Urdu and supported Mian Muhammad Shah Nawaz Khan.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—At this stage of the debate, Sir, permit me to make a few remarks on the question. My friend Mr. Ganpat Rai has put one side of the question before this House. In doing so, I am afraid, he pointed out the conditions of zaildars and lambardars in such a way as to show that these office-bearers were, in a way, menial servants of the State. I am afraid I am not prepared to accept this side of the story of my Hon'ble friend. These office bearers have been doing their duty from a very long time and holding their posts with great respect in the village community. They have been representatives of the village Panchayats, so to speak. Government has not been treating them as servants but as respectable people of the village community. They are not paid as salaries or wages for the work they do but some sort of remuneration for the extra labours that are entailed upon them. There have been some sort of misapprehensions that it is the salaries attached to these posts

that draws these men to these offices. But what I have known in my country is that whenever the office of a zaildar falls vacant large number of people crowd together and come forward to offer themselves to fill up the post. In several cases petitions and appeals to higher authorities have been made to get these posts in the long run. I, under the circumstances, certainly think that if it were a question of *baiezati*, what I understood from the remarks of my friend Mr. Ganpat Rai, surely none of these people would come forward so eagerly to fill up these places of honour.

What has fallen from the lips of Mr. Fagan on the subject is the other side of the picture which is the financial aspect of the question and the burdens that will fall upon the zamindars and upon the State coffers.

Certain other amendments have been proposed by my friend Sardar Bakhtawar Singh, for example, he wanted that the *sufedposhes* be added and that their emoluments should be half of the present emoluments of the zaildars. To what Mr. Fagan has already pointed out to the members of this Council. I simply want to add that if this proposal is accepted, another lakh of rupees shall have to be added to the expenditure.

Another proposal has been put forward by Khan Sahib Chaudhri Fazal Ali that each zaildar should be allowed a peon. If that proposal is accepted, it will cost another 21 thousand rupees. Well, if we are to consider all these things, it means that Government when they are considering this question shall have to give thought to the financial aspect of the question and also to the wishes that have been expressed in this Council. This interesting debate shall be instructive to the Government in coming to a decision on the subject, and if my friend would not press his motion, Government of their own accord will consider this question and will consider the debate that has taken place in this House and will come to some proposals which might meet with the wishes of the community as a whole. But I must say that we cannot possibly

go to the extent that has been suggested by the mover and by the other members of this Council. We can only consider the question and the debate that has been going on in this Council for the last, I may say, two hours or more, and the whole instructive debate will be placed before the Government and a decision arrived at. If necessary we might be in a position to get the non-official voice from some of the members of this Council, and beyond that I cannot commit myself to this House. With these remarks I request the mover to withdraw his Resolution.

**Sardar Bahadur Sardar Mehtab Singh.**—May I ask, Sir, if the Hon'ble the Revenue Member will give us a Committee of Inquiry to overhaul the whole question or not? We want a plain answer to a plain question. If he is going to give us a Committee of Inquiry we will go into the whole question, then, of course, Mr. Ganpat Rai is prepared to withdraw his motion. If he is not, then it should be taken as a final notice.

**Mr. Ganpat Rai.**—May I inquire if I can reduce the amount proposed by me, *i.e.*, to 20 per cent.?

**The Hon'ble the President.**—It is for you to put in an amendment in writing, and then the ordinary procedure will be followed. If nobody objects to the amendment being taken, it will be accepted. If any member objects to the amendment being taken, it will be refused. If you wish to propose an amendment, you should write it out.

**Sardar Bahadur Sardar Mehtab Singh.**—Just wait a minute, Mr. Ganpat Rai.

**The Hon'ble the President.**—Sardar Bahadur Mehtab Singh, You must not address a member. You should address the chair.

**Mr. Ganpat Rai.**—I think my proposal may be put to the House in its original form. I thought of making an amendment, but I have changed my mind according to the wishes of my supporters.

**The Hon'ble the President.**—Please then resume your seat.

**Mr. Ganpat Rai.**—I wish to move for the closing of the debate.

**The Hon'ble the President.**—If you move the closure, you lose the right of reply. You cannot both move the closure and then ask for a reply.

**Mr. Ganpat Rai.**—Then I do not move for closing the debate.

**Malik Firoz Khan, Nun.**—I move for the closure of the debate.

The Hon'ble the President put the motion for leave to close the debate to the Council, subject to the right of reply, which was carried.

**Mr. Ganpat Rai** accepted Chaudhri Fazal Ali's amendment and introduced the word "sufedposh." People applied for these places for other reasons than pay. They expected to get squares of land. He asked the Council to vote for his amended Resolution.

**Mr. P. J. Fagan** in Urdu replied that if the people applied for land squares they needed no increment. The Government intended to appoint a committee to consider the matter. He hoped the members would be satisfied with that but the Government was not prepared to do more.

**The Hon'ble the President.**—The motion of the Hon'ble Member is "That this Council recommends to His Excellency the Governor in Council that the emoluments of zaildars and lambardars be raised for the present to double the amount which is paid to them now."

To this Resolution five amendments have been moved. I shall take them in the following order:—

First, the amendment of Khan Sahib Chaudhri Fazl Ali is, "The word 'sufedposh' be added after the word 'zaildar' in the 2nd line."

The motion was put and carried.

**The Hon'ble the President.**—The second amendment is that proposed by Sardar Bakhtawar Singh namely, "That the words 'for the present' be omitted altogether."

The motion was put and carried.

**The Hon'ble the President.**—The third amendment is that proposed by Khan

Sahib Chaudhri Fazl Ali that "The words 'at least' be added after the word 'present' in the 3rd line of the Resolution."

The amendment was by leave withdrawn.

**The Hon'ble the President.**—The fourth amendment is that of Sardar Bakhtawar Singh, namely, that "At the end of the Resolution the following words be added: and the pay of the sufedposhes be fixed at half the amount of the present emolument of the zaildars."

**Sardar Bahadur Sardar Mehtab Singh.**—I submit, Sir, that this is inconsistent with the original Resolution and cannot be embodied in it.

**The Hon'ble the President.**—That is correct. I disallow this amendment as it is inconsistent with the wording of the Resolution.

The fifth amendment is . . .

**Khan Sahib Chaudhri Fazl Ali.**—I withdraw that amendment.

The amendment was by leave withdrawn.

**The Hon'ble the President.**—The amended motion now before the Council is "That this Council recommends to His Excellency the Governor in Council that the emoluments of zaildars, sufedposhes and lambardars be raised to double the amount which is paid to them now."

A division was taken—

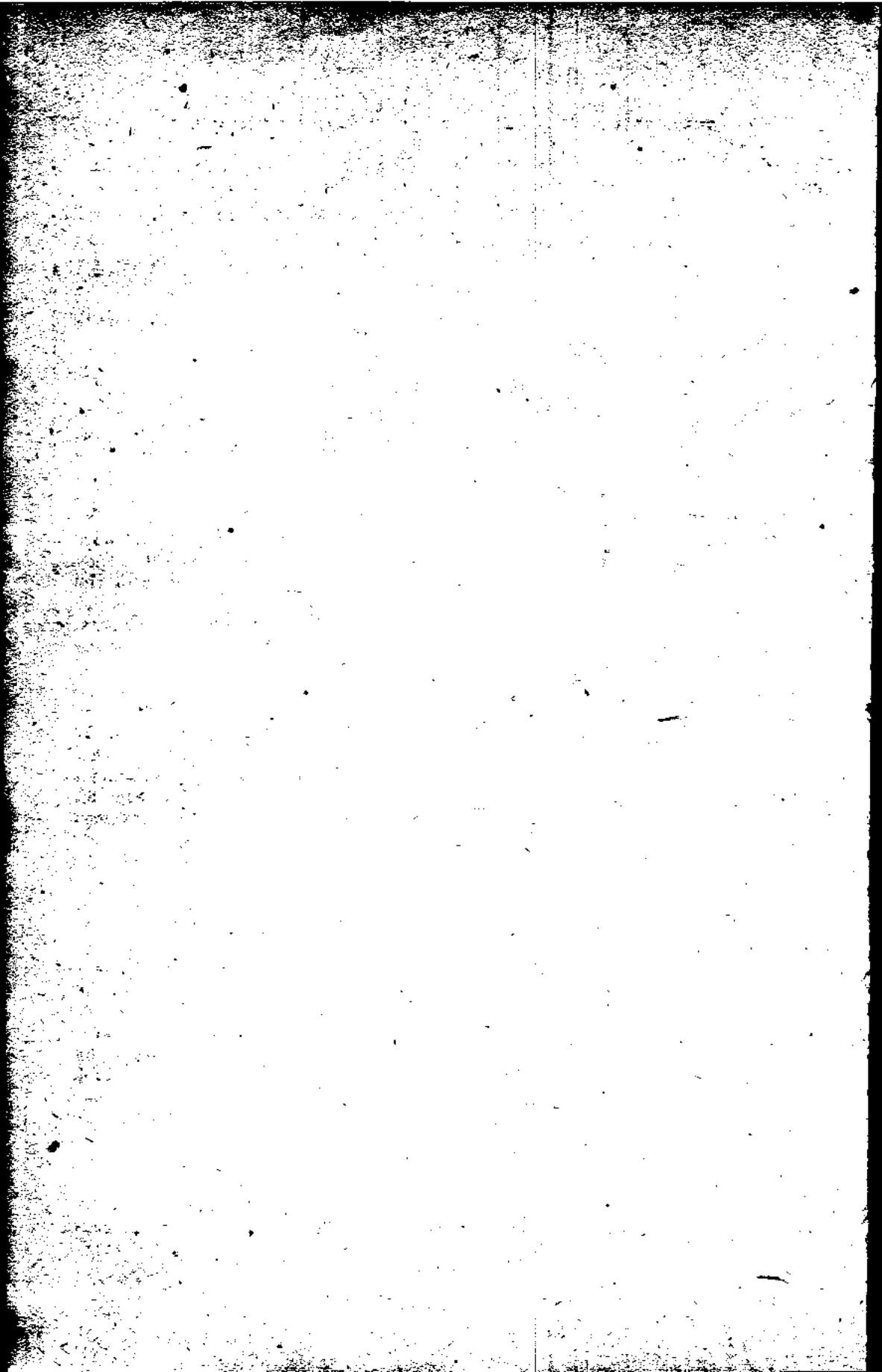
For the motion . . . 39

Against the motion . . . 16

Majority for . . . 23

**The Hon'ble the President.**—I declare the Resolution carried.

The Council will now adjourn till 11 o'clock to-morrow.





## PUNJAB LEGISLATIVE COUNCIL.

*Thursday, 3rd March 1921.*

The Council met at the Council Chamber at eleven of the clock.  
The Hon'ble the President in the Chair.

### DISCUSSION OF GOVERNMENT'S DEMANDS FOR GRANTS.

#### LAND REVENUE GRANT.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Sir, I hope the members of this Council would excuse me if I am going to make a short speech in introducing the head, for which I am asking demands and the details of which would be dealt with by the Financial Commissioner, who has a thorough knowledge of the subject and who is fully conversant to give you greater details than I can. The demand is for head Land Revenue. I may just explain in the beginning that we expect on the income side Rs. 2,88,85,000 and on the expenditure side the Council members might have noticed that the figures are Rs. 84,88,000. Out of this Rs. 72,78,000 are voted and Rs. 12,45,000 are non-voted. The income side details are given on page 1 of the Budget Estimate for the year 1921-22. On page 1 members will find Rs. 2,43,56,000 and on page 2 of the income they will find Rs. 44,49,000. On the expenditure side, for which the demands are to be made, the members will find on page 13 of the Budget Statement Rs. 86,56,000 as per details given there. These different items are further explained in the same statement, for example, Rs. 28,24,682 under the head General Establishment, the details of which the members will find on page 15.

After deducting moiety transferred to 24—Administration of Justice, the amount chargeable to Land Revenue share of salaries is Rs. 9,11,860, establishment Rs. 13,38,800, and allowances Rs. 75,000 at one place and Rs. 75,000 at other. They will find also on page 15 contingencies Rs. 3,26,000. They will find further on at page 18 of the Budget details of Rs. 12,81,000 under the head Survey and Settlements. Similarly, the details of this are given at pages 19 and 20 of the Budget Statement. Under Land Records the members will find Rs. 84,88,000: the details of these figures are given at page 21. Under Allowances for District and Village Officers they will find a provision of Rs. 12,000, and on page 22 under 'Management of Government Estates' they will find Rs. 5,000 also to be included in the demand. If the members of this Council refer to Appendix E, they will find an item of Rs. 5,65,000 as non-recurring and Rs. 8,400 as recurring charges. It has also been decided to include Rs. 15,000 which were deducted on account of Amritsar Indemnity for which funds are now available. The members will, therefore, find that our demands for expenditure on the whole, voted and non-voted, come to Rs. 84,88,000 which, as compared with the expenditure of the whole Province, come to something like 7 per cent. They would also find that income from Land Revenue and Irrigation which, so to speak, maintain the State are the backbone of the Pro-

vincial finances. But for these big incomes you will not be in a position to carry on the administration of the Province and to provide money for the necessities of my friends on my right. I hope, therefore, that after hearing my friend, Mr. Fagan, in details, you would be able to give us the demands that we have to put before you. After Mr. Fagan has given you further details on the subject I will formally ask for the voting of the grants.

**Mr. P. J. Fagan.**—I propose to make a few explanatory remarks on certain items of that part of the Budget which is now before the Council. The first main head under the expenditure head 5—Land Revenue is 'Charges of District Administration.' It will be found at page 18 of Appendix D attached to the Memorandum of the Hon'ble the Finance Member. The Council will understand that the entire cost of District Administration is shown under this head, but that certain shares are deducted and transferred to other grants so as to show, as far as may be, the expenditure really debitable to Land Revenue Administration. The charges of District Administration in the current year's Budget Estimate are 22.22 lakhs and for the coming year the estimate is 28.25 lakhs. As regards the increase under this head, it is mainly due to revision of the pay of non-gazetted establishment. Against 'Treasurers' on page 14 of Appendix D the grant is Rs. 95,000 as compared with the Budget Estimate for the current year of Rs. 82,000. The increase is mainly due to the practical introduction of what is known as the contract system of grants to treasurers. The question of remuneration to treasurers and its inadequacy has been, for a very considerable time, under the consideration of Government. As long ago as 1915 proposals were made for the adoption of the contract system. That system consists in giving each

treasurer a certain sum per month which includes his own remuneration and also the remuneration of the establishment which works under him. Under this system he is bound to maintain a Treasury staff in each district of a strength not less than a fixed minimum and to pay the persons so employed reasonable rates of remuneration. The Council will, therefore, understand that this grant does not merely represent the remunerations of Lead treasurers (*sadr khazanchis*), but also the remuneration which they have to pay to the subordinate staff which works under them and in actual practice carries out under their control the duties for which they are responsible. It was found that the expenditure under this head was inadequate and after for four or five years consideration Government finally decided to adopt the contract system and sanctioned proposals for remunerations at different rates for different districts. There is a resolution to be moved on the subject, and I hope that the remarks I have made will throw light on it and will possibly make the movement of the resolution unnecessary. The next sub-head under the 'District Administration' which I should like to touch on is 'Forest Reserves and Grazing Lands' on pages 17 and 18 of Appendix D. The grant asked for is Rs. 86,000 as compared with 2 lakhs originally asked for for the current year, though it has been reduced in the Revised Estimate. A few words of explanation are desirable, as I believe that a resolution is to be moved on this point regarding which my friend Mr. Casson will be able to give more information. With reference to the current year, it was originally contemplated that there would be in the district of Ambala expenditure in connection with afforestation work in the Sewalikhs. The flow of water from these hills causes and has caused very extensive damage. It was origi-

ally contemplated that very considerable restrictions of right should be undertaken, and it was estimated that compensation approximating to something like two to two and-a-half lakhs would be required. On further consideration, it was decided to alter the policy to be followed. In place of the application of the provision restricting rights, what is now in contemplation is to undertake working of a more scientific character in agreement with the people concerned. The amount now asked for is Rs. 56,000, and probably it may be possible to reduce even that. It has been estimated that Rs. 25,000 will be required for compensation for restriction of such rights as it is proposed to restrict. But I understand from Mr. Casson that it is quite possible that even that amount of restriction will not be fully carried out, and that, therefore, the whole of this amount will not be required, it is impracticable, however, to say at present what reduction can be made. The remainder Rs. 11,500 is required for reclamation work in the Siwaliks. It is proposed to take up limited areas in order that it may be dealt with on scientific arboricultural lines under professional advice and supervision. Another Rs. 20,000 is required for reclamation of ravine land which in many cases takes the form of assistance to the people themselves in carrying out those operations. This grant for the Sewaliks does not appear in Appendix D, but in the schedule of new expenditure in Appendix E. The grant of Rs. 36,000, which appears on page 18 of Appendix D really represents the cost of administering and managing the extensive unclassified forests, mainly rakhs situated largely in the south-western districts of the Province which are under the control of Deputy Commissioners and not of the Forest Department. This grant also includes similar charges for the extensive areas of 'protected' forests which in the

interests of the people have in the last two or three years been transferred from the control of the Forest Department to the control of the Deputy Commissioners, and it is contemplated that a small staff working under the latter, in consultation with the people concerned, will take such measures as are possible to assist in the preservation of a very deteriorated forest which exists in the Kangra District.

The next head to which I must turn is that of Survey and Settlement. The grant asked for under this main head is 12.81 as compared with 8.02 in the current year. This expenditure includes that which will be incurred on the reassessment of land revenue and the accompanying special revision of the record of rights, and, secondly, on scientific survey operations carried out by the Survey of India Department—a technical professional department. The exact figure is the third item in the summary on page 18 of Appendix D, i.e., Rs. 1,82,000. The increase is largely due to the one general cause, the effect of which more or less runs through the whole of the Provincial Budget, and that is of course the revision of pay and allowances of establishments generally—more especially the non-gazetted establishment. The settlements at present in progress are those of Montgomery (two tahsils—Dipalpur and Pakpattan), the districts of Multan, Muzaffargarh, Dera Ghazi Khan, with parts of Lyallpur and the Sirsa Tahsil of Hissar. Of these, those of Multan and Dera Ghazi Khan and the Sirsa Tahsil will be completed during the coming year 1921-22, while it is probable that operations will begin in the Jhang District and in the Lower Jhelum Colony.

Now, Sir, on this thorny question of settlements which I believe is going to be the subject of one or two resolutions for reduction, it is perhaps desirable that I should detain the Council

with a few remarks. In the course of the last few days during the financial deliberations of the Council, we have had many objections made to settlement in any form. Now, these objections seem to me to take two main forms which to a considerable extent perhaps are the same thing regarded in two different aspects. The first form is, I think, an objection to settlement as a means or an occasion for permanently enhancing the demands of the State for land revenue which, as you all know, is the backbone of Provincial finances, and the second aspect is the trouble and worry more or less necessarily incidental to the process as affecting the owners of land and other persons interested in land.

Now, Sir, so far as settlements are attacked under the first aspect which I venture to discriminate, the attack is in fact directed at the whole theory of land revenue—the land revenue which is one of the most, if not the most, important pillars in the fiscal structure of the Indian State. Now that theory, as most hon'ble members are, I am sure, aware, is based not on any whims of Government, but on the immemorial usage not only of this Province but of India generally, i.e., that the State is entitled to a share now very moderate, formerly decidedly heavy, of the value of the produce of agricultural land, and so entitled not merely as a recipient of taxation, but as a partner having a tangible and definite interest in such land—a sleeping partner it may be so far as actual cultivation is concerned, but an active, and now-a-days a very active, partner in all the manifold developments,—economic, intellectual and mental,—which are so essential to successful and prosperous agriculture. I do not propose to detain the Council by entering on a full defence of the theory which I have very briefly, and I am sure very imperfectly, outlined. To do so will take not one hour, but

several hours. But assuming that land revenue in accordance with that theory has to be assessed from time to time, it is I think obvious that some definite system of assessment, in other words, some form of land revenue settlement, is indispensable.

Now, Sir, I will turn to the second aspect of those objections to settlements which I have endeavoured to distinguish at the beginning of my remarks. That is the question of the trouble and the worry inseparable from settlement operations.

Now, Sir, what seems to be the popular feeling in this matter is coloured, and the general consciousness of what I may describe as worry and trouble, if these are not too emphatic words, exaggerated by the knowledge that at settlement the State is averting its claim to an increase in its dues—a legitimate increase it may be, and I venture to think that very generally it is so, but nevertheless an increase. Well, Sir, I for one sympathise with that feeling. That feeling overcomes me not once in the course of 20 or 30 years, but monthly. When I sign my salary bill, I am forcibly reminded of the large sum which an exacting Government extracts from me in the form of income-tax. Let me remind members, especially those whose interests and whose constituents' interests lie in agricultural land, and all that concerns agricultural land, that doubtless all other income tax payers feel, or have the same feeling, at frequent intervals. Sir, I have no wish to trifle with a serious subject. It may be freely admitted that settlement operations must inevitably involve, though at long intervals, trouble and worry and possibly annoyance to the landowners concerned and others interested in land. But is Government oblivious and careless of those facts? On the contrary, Government is not in any way so oblivious and careless, nor has it been so

in the past. It is many years since steps were taken—steps which have persistently been followed by a definite action—to minimise those troubles by curtailing as far as possible the durations of settlements and the complexity of the operations involved. Improvements are constantly being made in our land record system, mainly with the object of ultimately being able to do away with that special revision of record which forms a very considerable part of settlement operations, and up to date very substantial success has been obtained. Instead of the old system of remeasuring every field we now have a system of what is known as 'amendment of field maps.' The old map is taken, a tracing of it made, and instead of surveying every field and laying down every field corner and every boundary, the old map is retained where no extensive changes have occurred, and amendments are made where changes have taken place. The result has been a very substantial curtailment in the duration of settlement operations. The district of Ambala with five tahsils was settled in something under four years. The same has been the case in the Multan District. The Jullundur District was settled in 8½ years. While I mention these periods, I may also explain that the actual period during which the field settlement establishment was in contact with the people was far shorter. The periods which I have mentioned cover the whole duration of the settlement from start to finish, and include at the end of it a very considerable period in which no actual operations in the field were in progress. Well, Sir, I think I have said enough about this subject of settlement, and I hope that to some extent I have satisfied members that we are not oblivious of the trouble involved, and that every effort has been made, will be made, and is being made to minimise those

difficulties for the people so far as is humanly possible. At the same time I cannot hold out any hope that settlements as settlements will come to an end, so long as the present fiscal system is to remain in force. If any other system is devised by which land revenue can be dispensed with as the sheet-anchor of Provincial and Indian finance, well and good. We shall then be able to consider the subject, but until that day dawns I cannot myself hold out any hope that settlements as settlements will come to an end. At the same time I can assure members that every effort will be made to make them and their incidental consequences as little burdensome as possible to the people concerned.

As regards scientific survey, the grant asked for as I have explained is Rs. 1,82,000 as against Rs. 1,27,000 in the current year. The increase is largely due to one general cause to which I have already referred—the revision of pay and allowances. The estimated cost includes expenditure on carrying out what is called the rectangulation of the *thal* of the Mianwali, Shahpur and Muzaffargarh Districts in preparation for the construction of the Indus Canal on which I had occasion to make some remarks two—three days ago. It is also proposed to commence similar rectangulation of what is known as the Nili Bar of the Montgomery and Multan Districts that is, the *bar* which extends on the right bank of the Sutlej as far as the old course of the Bias river. I daresay some hon'ble members will be able to recognise the locality from this general description. That rectangulation is being undertaken in connexion with the impending construction of the Lower Sutlej Valley Project, another matter to which I referred on the same occasion a few days ago. I might briefly explain that rectangulation is carried out by scientific processes of surveying and will

ultimately when completed serve the triple purpose of aligning the actual irrigation channels, the survey of the soil, and also ultimately irrigation and colonisation. Connected with this is an item of Rs. 1,85,000 for the cost of survey marks to mark the corners of rectangles which have been laid down. Hon'ble members who are acquainted with what were or are the *bar* tracts of the Province will know that demarcation of that kind is absolutely essential, if this rectangulation is really to serve the purposes for which it is intended.

The third and the last main head on which I wish to make a few remarks is that of the important one of land records. The details will be found at pages 21 and 22 of Appendix D. The figures for the coming year are 84.88 lakhs, for the current year 19.76 lakhs. Well, Sir, that increase is a large one, a very large one, but I am sure that hon'ble members will be relieved to hear that this is very largely due to the increase recently made in the pay and allowances of the patwari and karungo establishments of districts and of settlements. The Council will no doubt wish me to make a brief reference to this.

The Hon'ble the President.—May I point out to the hon'ble member that 45 minutes have been exhausted, and that he is now dealing with a subject to which no objection has been raised. There is no notice before the Council to reduce the land record grant. The Council is rationed to two hours for the discussion of this grant. It will be difficult to get the votes through if the Government take an hour to make their demand.

Mr. P. J. Fagan.—The patwaris' pay has been very considerably enhanced, and I am sure that the Council will not grudge that well-deserved increase. I was going to make some

remarks on the nature of the work of the Land Record Department, but possibly I shall be able to put those remarks into print for the use of hon'ble members if they wish to peruse them. I think it is very important, especially for this Council, to remember that the Land Records work is of extreme importance in this Province.

The Hon'ble the President.—I am sorry again to take exception, but I asked at the beginning of this discussion that a motion might be moved. Neither the Hon'ble the Revenue Member nor the Financial Commissioner has moved any motion. This is irregular. There must be a motion before the Council asking for a particular grant. That motion should be made by a member of the Government. The term 'member of the Government' is defined as a member of the Executive Council or a Minister, and includes any member to whom such member may delegate any function assigned to him. It is quite in order for the Hon'ble the Revenue Member to delegate his functions for the purposes of this debate to the Financial Commissioner. It is somewhat irregular for him to make a speech and then to ask the Financial Commissioner to make a further speech, and it is more irregular when there is no motion at all. There must be a definite motion from the Government asking that a definite sum be voted under head '5—Land Revenue.'

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—"I move that under the head '5—Land Revenue Rs. 72,78,000 be voted."

The Hon'ble the President.—It would be a convenience if definite written motions could be handed in before each meeting and put on the agenda, so that members will know exactly where they stand. The notices now before the Council is that a sum of Rs. 72,78,000



be granted under the head 5—Land Revenue. Several notices have been handed in with regard to this. I will take them in the order in which they come in the Budget. The first is that of Mr. Ganpat Rai, namely,—

‘That the increased charges from Rs. 87,000 to Rs. 96,000 on account of the pay of treasurers be not granted, i.e., that a sum of Rs. 59,000 be reduced.’

I take this motion to mean that the item on page 14 of the Budget Estimate of Rs. 95,748 be reduced by Rs. 59,000. It would be better if hon’ble members handed in their motions so as to show that they ask for a particular entry in a particular place, under a particular head, to be reduced by a particular amount. Then we shall all know exactly where we are. The motion then which has been introduced by Mr. Ganpat Rai, on whom I will now call, is—

‘That the sum of Rs. 95,748 under the head 5—Land Revenue Charges—District Administration, be reduced by the sum of Rs. 59,000.’

Mr. Ganpat Rai spoke in Urdu and moved that the charges of Rs. 59,000 on account of increase in the remunerations of treasurers be not granted. The treasurers get a good deal of money by unfair means, and if this year they are deprived of the promotion, it will serve as an eye-opener. If they would stop such a practice, we can consider about their increment next year.

Mr. Atma Ram spoke in Urdu, and said :—“I do not agree with Mr. Ganpat Rai. The treasurers are respectable men; they do not accept money unfairly. The treasurers have to give cash security and they get a small rate of interest on the amount thus deposited with Government and consequently

are put to a great loss. After a long period of 15 years the proposed increment is being granted to the treasurers, and when all Government servants are getting increments, there appear to be no reasons why the treasurers should be deprived.”

Mian Bell Ram spoke in Urdu, and supported Mr. Ganpat Rai. He said that the increase from Rs. 87,000 to Rs. 96,000 was an extraordinary rate of increment. If the Government could satisfy the Council that the bribes would be stopped, the Council would gladly support the proposed increase. The zamindars should not be made to pay the increased salaries along with large sums as bribes.

Chaudhri Muhammad Amin spoke in Urdu. He agreed with Lala Ganpat Rai’s allegations against the treasurers, but not with the remedy proposed. The real corruption, said the member, lay with the officers under which the treasurers worked. He said that they should not oppose Government proposals merely with the desire of weakening the hands of Government. The penalty proposed, said the speaker, would aggravate the disease. They had no right to expect honesty from officials to whom they paid inadequate salaries. He opposed the motion.

Rai Bahadur Lala Sewak Ram spoke in Urdu in favour of Mr. Ganpat Rai’s motion ‘that the charges from Rs. 87,000 to Rs. 96,000 on account of the pay of treasurers be not granted, i.e., sum of Rs. 59,000 be reduced.’

The Hon’ble the President.—Does the Council wish to pursue this discussion further? The proper procedure is that some one shall move the closure, subject to the right of reply by Government.

Malik Firoz Khan.—I move the closure, Sir.

The motion that the question be now put was put to the Council and carried.

The Hon'ble Sir John Maynard replied to the motion in Urdu, urging the Council to reject it.

The original motion was put to the Council and lost.

The Hon'ble the President.—The next item before the Council is—

'That the sum of Rs. 21,995 for purchase of tents be omitted.'

Mr. Ganpat Rai.—My supporters ask me not to press this amendment. I withdraw it.

The motion was withdrawn.

The Hon'ble the President.—The third item is—

'That the lump provision for the appointment of 16 shorthand writers for Deputy Commissioners, amounting to Rs. 10,200, be omitted.'

It will be found at page 18 of the Financial Memorandum.

Mr. Ganpat Rai.—I also withdraw this.

The motion was withdrawn.

The Hon'ble the President.—The next item will be found in Appendix E.

Diwan Bahadur Raja Narendra Nath will move :—

'That the following item from the grant under major head 5—Land Revenue—Charges of District Administrations—Forest Reserves and Grazing Land—Contingencies be omitted, namely, Rs. 56,500 plus Rs. 15,000 = Rs. 71,500—Reclamation of Cho beds.'

Diwan Bahadur Raja Narendra Nath moved the following motion :—

"That the following item from grant under major head 5—Land Rev-

enue—Charges of District Administrations—Forest Reserves and Grazing Land—Contingencies be omitted :—Rs. 56,500 plus Rs. 15,000, which equals Rs. 71,500—Reclamation of Cho beds."

He spoke in Urdu and said that in sub-montane lands much damage was caused by the sand descending from the mountains. He had seen in Hoshiarpur the present arrangements for reclamation of Cho beds, and in his opinion the results obtained were slight and dilatory. Besides the measures adopted gave the zamindars a lot of trouble. He would, therefore, propose that that the expenditure demanded be postponed for a year.

Mr. H. A. Casson.—"Mr. President the mover of this motion has himself, I think, admitted that damage is done by the action of *chos*. I had intended to inflict on the Council a long exposition of the damage which does result, both to the zamindars by carrying away their agricultural land and by covering it with sand and to Government by the enormous expenditure entailed on bridges over roads and railways. There is also the expense entailed in correcting very serious insanitary conditions resulting from accumulation of the water running down these channels. For instance, in Karnal District and in Dasuha Tahsil. The latter area is one of the most unhealthy tracts in the Province (for these very reasons). However, as the damage is admitted, I do not propose to say anything more about that. The point is how to deal with it. Formerly there was not sufficient experience to justify us in doing anything beyond simply preventing the excessive grazing which had brought about the conditions which we have to remedy. Latterly, however, in various countries experiments have been carried on which have amply proved

that if a little money is spent, most astonishing results can be obtained. This has been done in Italy on a very large scale. Private landowners and the State are spending enormous sums of money on the bare hillsides in the mountain ranges which run down the centre of the country. In Switzerland experiments have been conducted recently, in fact over a series of years, to show what if any difference exists in the behaviour of the rain water when the hillside is bare and when it is covered with vegetation. The results have just been published, and they show that if the hillside has a proper quantity of wood and grasses on it, the rainfall soaks in and gradually drains away throughout the area. If the hillside is bare, it flows away in an hour or two, and causes floods. This is merely experimental and scientific confirmation of what everybody believes. Again latterly some very interesting work has been going on in the United Provinces for the past five years under the expert supervision of officers of the Forest Department, and one of the officers who initiated that work and who supervised it in its early stages is now one of our Conservators of Forests. It was he who suggested to me that we could tackle the problem in another way, and I obtained sanction from the Government to go to the United Provinces myself and see what has been done. The results astonished me. There were enormous areas of bare land scarred with ravines. After five years' work these are converted into well-wooded country, and where no grass at all grew before there are now quantities of nutritious grasses. Over a small area 400 acres a thousand maunds of dry grass was cut departmentally this year, and the right to cut the remainder of the crop on this 400 acres brought in Rs. 900. The Forest Officers there estimate that within a very few years

in that district—the district of Etawah—which has been notorious for years for fodder famine, the danger of fodder famine will have been banished. They will produce at least 10 maunds of dry hay per acre, which they will store and it will be used when necessity arises. Well, we have decided to adopt that plan in the Sewaliks. Instead of closing the whole of the Sewaliks, and undoubtedly causing a lot of inconvenience to the people, we have said that we will not close the whole range, but we will take just a small area at each end—perhaps 500 acres at one end and 500 acres at the other end. We will then work it by putting on pioneers or some other agency, and we will soften the soil. I can assure you that within two or three years we shall have a growth of nutritious grasses and of young trees. Then as we can give the villagers fodder behind us in these areas, that is to say, a supply of fodder which they can cut, we shall advance a little bit and we hope to have their full support in this matter. Then down below in the Ambala District there are enormous areas of land cut up by ravines exactly similar to those in the Etawah District of the United Provinces. In one assessment circle alone the area of the circle is 29,000 acres and 11,000 acres are entered in our records as *gal-mumkin cho*, or ravine. Now we propose to show to the villagers how to reclaim those large areas for their own benefit. We do not propose to take the area for Government in any way. We simply give the villagers tools and show them how to do the work; bring expert men from other parts of the country, such as Talagang, where they are accustomed to deal with similar conditions, to show the villagers how to improve their fields and prevent the water running off and cutting up the land into these ravines. Further, we will take villagers from those villages, selecting good men, pay

them good wages, send them down to the United Provinces to see the work which has been done there, and then we hope that they will come back enthusiastic advocates of reclamation, and that they and the villagers with our assistance will in a few years reclaim these vast areas. These areas exist not only in the Ambala District but in many other districts in the Province,—in Gujrat, in Rawalpindi, in Mianwali, in Jhelum, and so on. Every one who has travelled by rail to Rawalpindi must be familiar with the extraordinary ravine-scarred condition of the country as one approaches Rawalpindi. All that land can be reclaimed and can be made capable of bearing nutritious grasses and supporting a far larger number of cattle than it does at present. We do not, as I say, propose to injure the villagers in any way. In the Sewaliks, where we do take up a small area of land, we propose to pay rent to the villagers for it, and as soon as we are able to get a profit, which we hope to do before long as the Simla market is near and we can grow all sorts of valuable produce such as bamboos, bhabbar grass, lac and various other things, we will share that profit with the villagers. We will take only a proportion as a fair remuneration to Government for the capital expenditure, and the rest we will give to the villagers. We shall provide them with work, we shall provide them with fodder, and their condition will be very much better than it is now. I hope after this explanation that the Council will grant the not very large sums which we have asked for. Last year the Budget was over two lakhs. This year in all we have only asked for Rs. 56,000 plus Rs. 15,000 added since the Budget was printed. That two lakhs was only for the work in the Sewaliks. We ask now for Rs. 71,000 for work both in the Sewaliks and in

three tahsils below. But as a matter of fact Rs. 40,000 out of that Rs. 71,000 was budgeted under the impression that we would have to pay compensation. As I say, two lakhs was budgeted last year for the Sewaliks; owing to this change of policy we have been able to save that and devote it to something else—the rectangulation of the Sind Sagar in connection with the Sind Sagar Canal. We have put down some money for compensation this year, because the question whether this change of policy could be adopted in its entirety had not been fully considered. But as far as I am concerned, I am in favour of this change of policy, and I do not want this large sum of money for compensation. It might be just as well to leave some in the Budget, but I do not believe that we shall spend during the next year more than Rs. 5,000 out of the Rs. 40,000. I am ready to give up Rs. 35,000.

After this explanation I hope the Council will be convinced that we are doing the work not only in the interest of Government but also in the interest of the general public, and that the expenditure, which we ask for is justified. The mover said that the matter may be left over for the next year. The only objection to that is that we have already started the work and some money has been expended experimentally in that direction. I heard only last night from a friend of mine in the Ambala District, who informed me that the amount of reclamation work already done is remarkable. I hope that money will be provided so that the work may not be dropped in the middle.

Mian Bell Ram, speaking in Urdu, supported the resolution of Diwan Bahadur Raja Narendra Nath.

Sardar Bakhtawar Singh supported the resolution and spoke in Urdu.

**Mr. Manohar Lal.**—Sir, I speak with no personal knowledge, but I venture to intervene in this discussion for two reasons. Firstly, I have had the opportunity of reading a monograph setting forth the work done in the United Provinces to which Mr. Casson has referred. And, secondly, I feel that the consideration, which have been placed before the Council by the two speakers who immediately preceded me, were irrelevant to the real issues before us. I have been reading this publication with interest, and feel convinced that it is possible to reclaim ravine land and make it produce large quantities of valuable produce such as fodder. One of the great economic problems of the present day is, the provision of milk and ghi for the people. Periodically, there occur fodder famines, cattle die in great numbers or are sold, and Government is put to great expense in bearing the difference between the ordinary railway charges for the transfer of fodder and the concession charges which are recovered from the people who import fodder into tracts where fodder famine exists. Anything that can mitigate the severity of these famines is worth consideration. The officers responsible for the work carried out in Etawah consider that within a few years they will be able to store such large quantities of fodder from the reclaimed lands that an ample supply will always be available when scarcity of fodder occurs. If in the same way the extensive ravine lands of Ambala District can be reclaimed and brought under cultivation or made to produce grass in abundance, the people will be able to store spare fodder which they will be able to sell in times of scarcity, thus benefiting both themselves and their neighbours. The money asked for is to show to the people how to reclaim these lands on the lines already followed successfully in the United Provinces. I am informed that the

rainfall in Ambala is better than that at Etawah, and that the soil is very good. If this is so, there seems to be no reason why the people should not succeed in reclaiming these ravine lands. They have every inducement to do so: the settlement is just over and there is no possibility that the revenue will be enhanced for a long term of years. They will enjoy, therefore, all the benefits of the present high prices for produce of all kinds. We are told that the money which Government proposes to spend is to be spent simply to show the people how to do the work for themselves, and not for any of those objects with which it has been asserted people under a particular piece of legislation have been suffering from untold hardships. The idea of sending elected villagers to Etawah to see the work done there for themselves at Government expense, in order that they may learn how to help themselves, seems a good one and should have our support. If after a year or two's trial it is found that the villagers will not help themselves, the further expenditure of money can either be stopped or the Government itself can arrange to reclaim these lands, as is being done in the United Provinces, on a profit-sharing basis. I would ask the Council not to grudge the small sum of money asked for these experiments.

**Diwan Bahadur Raja Narendra Nath.**—I appreciate fully, Sir, the suggestion of the Finance Member for the welfare of the people. I also admit that there is a consensus of scientific opinion in favour of the experiment, but I want to say that all these experiments depend on two things which are not forthcoming. One is a certain degree of intelligence on the part of the people, and the second is co-operation by them. If a certain experiment is introduced under the auspices

of an Act, it does not meet the same results as can be attained by people understanding the advantages of afforestation themselves.

I have no personal knowledge with regard to the experiments which have been made in Etawah, but what has been done there cannot be cited as an example for the reasons which I have given.

**Mr. H. A. Casson.**—Mr. President, my friend Mian Beli Ram has devoted his speech mostly to an attack on what is known as the Chos Act or the Land Preservation Act. This is really irrelevant to the subject before us. We can do what we propose to do just as well without the Act as with it. In instituting the ravine reclamation work in Ambala the Act was never mentioned. We have applied no law of any kind. We have simply gone to the people and said, will you co-operate with us? We will help you, we will show you how to do it, and we can do exactly the same in the Sewaliks. There is no such thing as the Chos Act in the United Provinces, yet Government has carried the people with them there. The land has been freely given to Government. They simply tell them this land is worthless to you, will you give it to us on rent, and we will show what we can do with it. And now they are offering land all round the district and in the other places. Objections have been raised against the Act by Mian Beli Ram, and I am authorized on behalf of Government to say that we will be perfectly ready to reconsider the Act and remove any serious objection which there may be. As far as we are concerned at present, we can get on just as well without the Act as with it in the work which we are doing in the Sewaliks and in other parts.

**The Hon'ble the President.**—Raja Narendra Nath, the point is whether, on the understanding that a reduction of

Rs. 20,000 is accepted by Government, and also that any new operations carried out this year will not be carried out under the Act but by the consent of the people, you are willing to withdraw your motion.

**Mr. H. A. Casson.**—I should like to make a little explanation. Some years ago section 4 of the Act was applied to this tract. Under that the grazing of sheep and goats was forbidden and a notification was issued for bidding the grazing of camels. Well, I do not think there can be much objection to that in the areas which we propose to take up at present. I would even be willing to go so far as to say that goats and sheep may be allowed to graze because there is nothing for them to graze on; they cannot do any harm. But in the areas—the small areas—which we do want to take up I want to protect them from grazing of every kind, camels and everything. I will get the people to agree, because these bare dry tracts are perfectly worthless to them.

**Diwan Bahadur Raja Narendra Nath.**—I am not quite convinced how the matter will be worked, but it seems to me that the sense of the Council is that on the assurance given that the operations contemplated will be carried on with the consent of the people, I may withdraw my motion and I do.

The motion was by leave withdrawn.

**The Hon'ble the President.**—The next item under 5—Land Revenue on page 20 of the Budget Estimate is as follows :—

"That (a) Hot and cold weather charges for Survey and Settlement parties amounting to Rs. 5,763, (b) Tour charges amounting to Rs. 12,650, and (c) Rs. 28,015 shown as Miscellaneous be omitted."

**Mr. Ganpat Rai** spoke in Urdu, and moved his motion.



**Mr. P. J. Fagan.**—Sir, as far as I understand the hon'ble member, his objection to tour charges is that they are travelling allowances. If that is so, all that I need explain is that tour charges are not to be identified with travelling allowances. They are contingent tour charges, such as the cost of carriage of tents and of office, and expenses of that kind. They have nothing whatever to do with what is ordinarily known as the travelling allowance of gazetted officers, or of Tahsildars or Naib Tahsildars. I do not know if that will satisfy the hon'ble member as regards the item on account of tour charges. But it is obvious that if people go on tour they must have tents to live in, their office must be carried, their official dāk must be taken to them, and that is the sort of expenditure to which these tour charges relate, and not to the travelling allowances of officers, as the hon'ble member seems to imagine. I hope that will satisfy him.

**Mr. Ganpat Rai.**—But what are such high travelling allowances paid for when the tour charges are separately debited?

**Mr. P. J. Fagan.**—As regards that, I have given my explanation, and I think it will sufficiently convince the other members of the Council. As regards the head Miscellaneous, I will explain a few items. One is for hot and cold weather charges. With regard to these, I need only say that the Settlement staff require *punkhas* in the hot weather, and in the winter they feel the cold just as much as any other human being, and it is necessary to provide them with something to meet the rigours of the Punjab climate in summer and in winter. I do not think the hon'ble member can desire to doom the Settlement staff alone out of all the services to shiver in winter and—and as regards the hot weather—well I

need not describe conditions more particularly.

Another Miscellaneous item is book-binding. Members may know that a large amount of book-binding has to be done in settlements, as the settlement records of a district are contained in volumes which number 2,000 or more and the binding of these naturally costs a certain amount of money.

Another item is for money-order commission on salaries of officers, who are not at head-quarters, but in various parts of the District and whose pay is transmitted by money order, so that charges on account of money-order commission are of course necessary.

\* Another item is for Rs. 17,000 on account of carriage stone survey marks. That also is a necessary expenditure. Survey-marks have to be set up, and we have not yet reached a stage when the stones required can transport themselves from the hills. When we reach that stage, we shall be able to reduce such expenses. I hope these remarks will satisfy the hon'ble mover.

**Mr. Ganpat Rai.**—I am satisfied and I withdraw my motion.

The motion was by leave withdrawn.

**Mr. Ganpat Rai** spoke in Urdu, and moved that the Land Revenue grant be reduced by Rs. 1,75,000 as follows:—

	Rs.
(a) Lump provision for resettlement of Chenab and Jhang Tahsils for 1931-22	1,00,000
(b) Lump provision for Jhelum Colony settlement for 1931-22	45,000
(c) Lump provision for resettlement of colony villages, Jhang Branch, for 1931-22	30,000
Total	1,75,000

**Pir Akbar Ali.**—If I am allowed to discuss my resolution now, it will save time, as my resolution also concerns the resolution under discussion.

**The Hon'ble the President.**—Two motions cannot be discussed at the same time. But if Mr. Ganpat Rai's motion covers your motion, you should speak now to Mr. Ganpat Rai's motion. Once his motion is disposed of, the subject covered by it cannot be discussed again.

**Pir Akbar Ali.**—This resolution is covered by my resolution, but my resolution is not covered by this one.

**The Hon'ble the President.**—Under the rules a motion concerning specific items has to be taken first, and a motion concerning general items is taken afterwards. You can speak now, if you like. You will not be allowed to speak later on the items covered by this motion.

**Pir Akbar Ali.**—I do not wish to speak now.

**Mr. P. J. Fagan.**—Sir, there are only few minutes left for the discussion. I have very few remarks to make on Ganpat Rai's observations. I was not able to follow his arguments, but I gather that he confuses the principles underlying the land-revenue system and the principles on which the assessment of land revenue is carried out. His objection and the objection of another member who spoke on this resolution apparently is that when once a district has been settled, the assessment should be permanently for all time as regards the amount of land revenue which is taken. I do not propose to cover again the ground which I endeavoured to cover this morning, but I will merely try to sketch the general basis of the practices of periodical revision of land-revenue assessment.

The necessity for such a periodical revision is that agricultural conditions are not stereotyped for all time. There are certain things, such as expansion of cultivation, construction of new irrigation canals, improvement in railway communications, and general rise in the value of agricultural produce, which are all elements which should be taken into account, and it is fair on the theory of land revenue, which, as I understand, has been accepted by the mover, that periodically Government should make a reasonable enhancement in its demands, if that enhancement is justified by the conditions to which I have referred. One point which I think weighs a great deal with the members is the question of the period for which a settlement is made. The term of settlement in the past has been generally 20 years, except in the cases of those tracts in which development has recently commenced and is still in progress. Such tracts are generally those which have been irrigated by that great system of canal irrigation with which you are all familiar, and necessarily in such tracts the term of settlement has to be short. The Government has already in view the desirability of prolonging the term of settlement for such period as is reasonably consistent with its title to enhanced revenue, and the recent policy has been to fix where possible—and it has been possible in a good number of cases—the term at 30 years. There are also cases at present in which the terms are as short as 10 years. But Government hopes that at future settlements it will be possible to prolong the term successively up to 30 years.

Another point on which Mr. Ganpat Rai laid stress was the trouble and worry incidental to settlement proceedings. As regards that matter, I made certain remarks this morning, and I need only add that I adhere to them fully. Gov-

ernment is fully conscious of the trouble and worry which under present conditions are more or less necessarily involved in those proceedings, but, as I stated this morning, everything possible is done and will be done to curtail the duration of settlement operations and to reduce their complexity, and the period during which the field settlement staff is in contact with the people who are interested and affected by the operations.

Another suggestion has been made, and it was made I think in the opening stage of this debate that the assessment should be made by a local committee, and to-day we have had another suggestion that the assessment should be made purely on the statistics which are collected from time to time. I know that that is a very captivating idea, and if it could be carried out, I am sure the Settlement staff, the Settlement Officer, and the Financial Commissioner would be only too pleased to adopt it. But unfortunately, Sir, it is not possible; a really fair settlement requires an intimate knowledge of the tract and of the different conditions of the estates which are involved in the operations. I may emphasize the fact that we have, as I said this morning, very substantially reduced the duration of settlement operations in the course of the last 20 years, of which I gave some instances. It is a matter which will constantly be kept in view. I should like members to understand, first, that we are quite conscious of the desirability of prolonging as far as is reasonably possible the term for which a settlement is made. Secondly, we are earnestly desirous of reducing as far as is possible for a Government the worry and trouble which these operations necessarily involve. Thirdly, we are desirous of simplifying, so far as may be possible, assessment operations themselves. There is no doubt that the statistics to which

the hon'ble members referred facilitate, and also abbreviate, the work of the Settlement Officer. In old days he began with a clean slate and he had to collect his own statistics. He had, moreover, to do all the measurements from start to finish, with the result that it took him 7 or 8 years to finish the settlement of a single district. Now the Settlement Officer finds a large number of statistics ready to hand, but not all that he requires, and the additional statistics are collected by the Settlement staff which has been deputed for the work; as a matter of fact the work is reduced to something like two or at the outside three cold weathers, and in that time the measurements of a district are generally completed. Complete remeasurement, i.e., complete resurvey, is found necessary only in the case of a few villages. In the remainder the survey takes the form of an amendment of field maps which is more or less rapidly carried through, and where changes in cultivation and so forth have been small, that work is comparatively quickly finished. As a result so far as the people are concerned, settlement operations practically come to an end in two or three cold weathers.

I do not understand whether Mr. Ganpat Rai has any specific objection to the amounts of these particular items or that he wishes for any explanation regarding these amounts. I may however inform the Council that they were very carefully considered and were placed at the lowest possible figure. These amounts are considerably larger, of course, than they would have been but for the recent enhancement in the pay of establishment, especially *patwaris* and *kanungos*.

I hope that this brief explanation, which is briefer than I could wish, and the few indications and suggestions which I have been able to make will

convey to the minds of the members the definite intentions of Government in this matter, to enforce in a reasonable and just manner its customary claim with the minimum of trouble and annoyance and worry to the people concerned.

In closing I would make one more remark, and that is that Mr. Ganpat Rai, while deprecating the prosecution and undertaking of settlements, has not indicated any definite way in which Government is, without some form of settlement procedure, to secure its due share of the value of the agricultural produce of the land, which, as I have endeavoured to indicate, varies from time to time.

Mr. E. Joseph spoke in Urdu, and said that he had himself considerable experience of settlement work, and he felt that the difficulties under which landowners were supposed to labour during settlement had been exaggerated by many of the members who had spoken. He explained the absolute necessity of carrying out surveys and settlements periodically in order to enable Government to assess land revenue equitably by verifying deterioration or improvement in lands and also the existing possessors thereof.

Sayad Muhammad Hussain spoke in Urdu, and urged that owing to the troubled state of the country on account of the non-co-operation movement which appeared to be gaining ground day by day, it would not be advisable to carry out any settlements in this part of the country, and that such action should be postponed for at least a year or two. The zamindars as a class were keenly alive to the inconveniences and hardships of settlement, and it would simply be provoking them to join the ranks of the non-co-operators to persist in carrying out settlements at this time.

The Hon'ble the President.—I must now proceed to take the opinion of the Council. Does any member of the Government wish to say anything further?

The Hon'ble Sir John Maynard.—I do not think that we have anything further to say.

The Hon'ble the President.—I will put the three items separately.

The motion before the Council is—

“That the land revenue grant be reduced by Rs. one lakh on account of a lump provision for the resettlement of the Chiniot and Jhang Tahsils for 1921-22.”

The above motion being put to the Council a division was taken with the following result :—

For the motion	..	42
Against the motion	..	18
Majority for	..	24

The motion was declared carried.

The Hon'ble the President.—The next motion before the Council is—

“That from the land revenue grant a sum of Rs. 45,000 be reduced on account of a lump provision for the Jhelum Colony Settlement for 1921-22.”

The motion was put to the Council and carried.

The Hon'ble the President.—The third motion before the Council is—

“That from the land revenue grant a sum of Rs. 30,000 be reduced on account of a lump provision for the resettlement of colony villages, Jhang Branch, for 1921-22.”

The motion was put to the Council and declared carried.

**The Hon'ble the President.**—Pir Akbar Ali, will you please state exactly what are the items which you wish to ask the Council to reduce. There is some confusion about the figures quoted.

**Pir Akbar Ali** then moved that under the minor head 'Survey and Settlement' the sub-heads 'Other Head-quarters establishment (Rs. 2,05,000)' and 'Survey and Settlement Parties (Rs. 6,18,000)' be reduced by Rs. 3,75,000. The items he chiefly objected to under these sub-heads were—

- (a) the sum of Rs. 1,34,000 provided for the cost of survey-marks;
- (b) the sum of Rs. 1,70,000 provided for field establishment; and
- (c) the sum of Rs. 1,65,000 provided for temporary establishment.

**The Hon'ble the President.**—You should be very brief. The time allowed by His Excellency the Governor has already been exceeded by an hour, and I have acted irregularly in allowing any further discussion at all. I shall similarly allow the Government to reply only briefly.

**Pir Akbar Ali** then gave his reasons in Urdu.

**Mr. P. J. Fagan.**—Sir, I do not think it is necessary for me to say much at this time. I explained this morning why the cost of survey-marks has been included in the Budget. If this item is cut out, the result would be that greater part of the expense incurred in order to arrive at a real and correct survey would become practically useless. That is the result of cutting out this item. The cost of labour which is of course a good deal will be fruitless. I may add that the rectangulation is intimately connected with the development of canal irrigation both as regards the Sind Sagar Canal and the New Sutlej Canals

which will irrigate the Nili Bar of Montgomery. If this rectangulation cannot be carried through, then the construction of these canals will be very very seriously prejudiced. I hope the member will appreciate this curtailment of the Budget which he has so light-heartedly proposed. It has nothing whatever to do with the land revenue settlement or the revision of record of rights. It is purely connected with the rectangulation which is necessary and essential to the preparation of irrigation and colonization projects in the tracts.

As regards the reduction of field and temporary establishments. That simply means that if these reductions are accepted, so many settlements will probably come to a standstill. The member has suggested that the settlement can be carried on with the ordinary district staff. I can assure him that we have not yet reached that stage. The settlement operations have been abbreviated, and in time it might be possible to dispense with this staff, but I can assure him that the time has not yet come. Until that time, it is essential that there should be a special temporary staff. The result of the reduction proposed by the member would be that certain settlement operations in districts will have to be suspended.

**The Hon'ble the President.**—Pir Akbar Ali, in view of what the Financial Commissioner has said, do you wish to press your motion so far as survey marks are concerned.

**Pir Akbar Ali.**—I do not wish to press that item. I shall be satisfied with the reduction of a sum of Rs. 1,75,000 on account of the other items.

The motion that out of the amount of Rs. 2,05,000—Other Head-quarters Establishment—and Rs. 6,18,000 on account of Survey and Settlement

Parties, the sum of Rs. 1,65,000 be reduced was put to the Council and lost.

The motion that a sum of Rs. 71,08,000 (i.e., Rs. 72,78,000 less Rs. 1,75,000) be granted under the head 'Land Revenue' was put to the Council and carried.

**The Hon'ble the President.**—Sardar Sahib, this Council is pleased to grant you Rs. 71,08,000 under the head 'Land Revenue.'

#### EXCISE GRANT.

**The Hon'ble Lala Harkishen Lal.**—Sir, the motion that I have to move is in these terms. I move a demand for Rs. 4,29,000 for the administration of the Excise Department.

The Hon'ble Member then spoke in Urdu, and urged the Council to grant the demand in full explaining that the sum asked for was absolutely necessary and by no means excessive for the proper working of his important department. They spent only 3 per cent. of their income on the staff which was not considerable. They cried for increase in salaries, and now that the increment was given they should not grudge the money. He did not want to encourage the use of liquors. The policy of Government was to check intoxication. The sum demanded was not a huge one and he was sure would have the consent of the House.

**The Hon'ble the President.**—The first item to be taken is that from the Excise grant Rs. 18,740 be reduced, namely, that no provision be made for eight probationary Sub-Inspectors, seven Sub-Inspectors and seven peons with them.

The motion stands in the name of Mr. Ganpat Rai.

**Mr. Ganpat Rai** moved his motion, and said that the Ministers ought to have reduced expenses, but since they

had become the Government, they had adopted the previous policy. They wanted to take advantage of the ignorance of the Council. He could not understand why an expert was required. Sub-Inspectors and peons were not needed. Sub-Inspectors could not remedy the evil. The zaildars only would do the work and the Sub-Inspectors would claim the credit. The present number of Sub-Inspectors was quite sufficient. The chaprasis of the Council Chamber, thinking him the champion of the poor, put an application into his pocket requesting him to speak on their behalf. Such would also be the case with the Sub-Inspectors, and they would very soon demand increased salaries.

**Mian Beli Ram** spoke in Urdu, and said as a pleader his experience was that Excise Sub-Inspectors made frivolous cases merely to show their officers what they were doing and to justify their appointments. In the Jullundur Division there was no necessity for any more Excise Officers. He supported Mr. Ganpat Rai.

**Rai Bahadur Lala Hari Chand**, speaking in Urdu said, I do not agree with Mr. Ganpat Rai that Excise Sub-Inspectors make false cases against the people. From my personal knowledge I can say that many Excise Sub-Inspectors are honest. Zamindars do help the Excise Sub-Inspectors, but they (zamindars) cannot themselves perform the duties of the Excise Sub-Inspectors. Deputy Commissioners and Commissioners are the proper persons to know where these officers are required in more numbers and the proposal in the Budget must have been based on their recommendations.

**Lala Panna Lal** spoke in Urdu, and said, I support Rai Bahadur Lala Hari Chand, but I do not know where lies the necessity of a Distillery Expert.



**The Hon'ble the President.**—Please confine your remarks to Sub-Inspectors.

**Sardar Randhir Singh** spoke in Urdu, and said the duties of Excise Sub-Inspectors are the same which the Congress and other Societies require, I oppose Mr. Ganpat Rai.

**The Hon'ble the President.**—Will the hon'ble member in charge like to speak.

**The Hon'ble Lala Harkishan Lal** spoke in Urdu, and said the appointment of Sub-Inspectors was justified inasmuch as they are a great help in checking unlawful distillation.

The motion was put to the Council and lost.

**The Hon'ble the President.**—The next item is—

‘That Rs. 7,200 out of the Rs. 11,800 provided as a lump provision for the pay of the Distillery Expert be not sanctioned.’

**Mr. Ganpat Rai** spoke in Urdu, and urged that there was no necessity for this expenditure. The speaker pointed out that there was no reason to pay

more than in the past to the Distillery Expert, the amount of the work not having increased at all.

**Mr. E. Joseph** replied in Urdu, and pointed out that formerly the Punjab Government shared the services of a Distillery Expert with the Government of the United Provinces. The United Provinces Government was no longer willing to share an officer, and as no half man was procurable, the Punjab Government had to incur expenditure for a whole man.

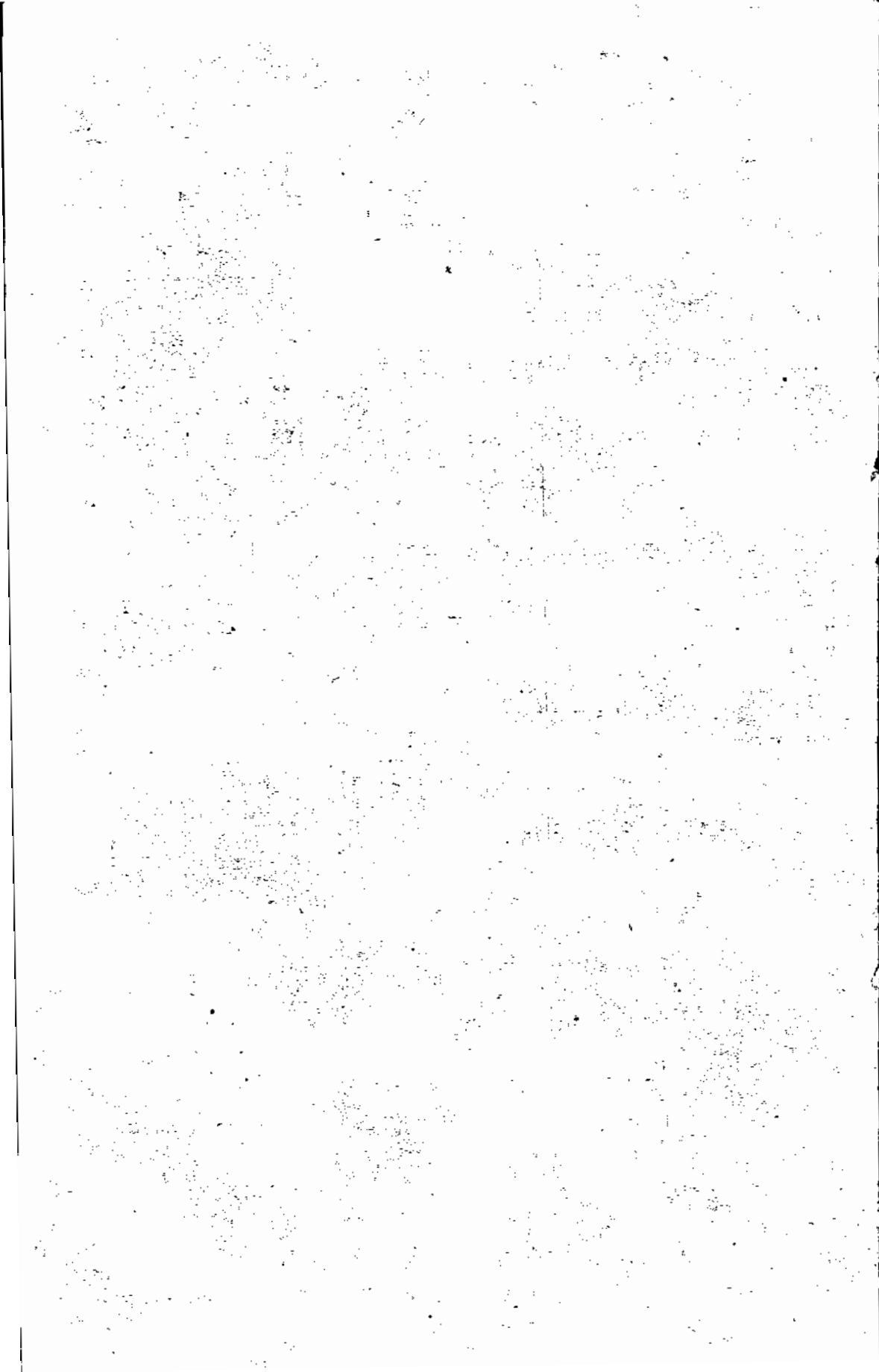
**Mr. Ganpat Rai.**—In the circumstances, I ask for leave to withdraw my motion.

The motion was by leave withdrawn.

**The Hon'ble Lala Harkishan Lal's** motion that a sum of Rs. 4,29,000 be granted under the head Excise was then put and carried.

**The Hon'ble the President.**—Mr. Minister, this Council is pleased to grant you Rs. 4,29,000 under the head Excise.

(The Council adjourned till 11-30 A.M., on 4th March 1921.)



## PUNJAB LEGISLATIVE COUNCIL.

*Friday, the 4th March 1921.*

THE Council assembled at half past eleven of the clock. The Hon'ble the President in the Chair.

### GOVERNMENT'S DEMANDS FOR GRANTS.

#### STAMPS GRANT.

**The Hon'ble Sir John Maynard.**— I move that the Council sanction a grant of Rs. 4,72,000 under the head 7—Stamps.

"The Council will find particulars of this grant on pages 24 and 25 of the Budget. To the figure of Rs. 2,87,000 there given Rs. 1,51,000 has to be added on account of refunds for spoilt and damaged stamps, and also Rs. 84,000 on account of expenditure estimated to be incurred in England for the printing and preparation of the stamps. The total comes to Rs. 4,72,000. I think it sufficient for me to say that the income under this head is 89 lakhs so that the net profits are something like 85 lakhs. In these circumstances I need say no more to justify the demand for the grant.

**The Hon'ble the President.**—No notice of omission or reduction has been handed in with regard to the Stamps grant. No member wishes to address the Council. I will, therefore, proceed to put the motion to the vote of the Council.

The motion was carried *nem. con.*

**The Hon'ble the President.**—"Sir John Maynard, you have a grant for Rs. 4,72,000 under the head 7—Stamps."

#### FORESTS GRANT.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla.**—I move that a grant of Rs. 45,49,000 under the head 8—Forest be made by the Council.

Sir, the figure originally proposed in the Budget was Rs. 49.55 thousand, of this Rs. 49.19 thousand in India including refund of Rs. 7,900 and Rs. 68,000 in England. This included a figure of Rs. 2 lakhs for Nunkhari Surd project, which has had now to be cut out owing

to reduction of expenditure necessitated by our having to make provision for the Amritsar Indemnity passed by the Council as a charge on the Provincial revenues. The Budget figure, therefore, will be Rs. 47.85 thousand (Rs. 47.19 India plus 66 in England). This figure is arrived at by adding the items of the detailed budget and from appendices 'D' and 'E' plus expenditure in England.

Out of this budget Rs. 2.36 is non-voted and Rs. 45.49 voted. The figures of the Budget to be voted include—

- (a) Charges for Conservancy and Works;
- (b) Establishment; and
- (c) New expenditure.

Under head (a) above there are charges to be paid in connection with the felling and removal of trees in the forest and to make them fit for market. It also includes rents payable to proprietors who have a share in the forests managed by Government. Live and dead stock accounts for Rs. 3.7, communications and buildings would cost Rs. 2.67, demarcation Rs. 1.97, and miscellaneous Rs. 4.79.

Under head A-IX—Miscellaneous, page 25, the principal items of expenditure are due to purchase of food-stuffs for feeding forest labour employed on departmental forest works in the Bashahr and Kulu Forest Divisions. Expenditure under A-I is proportionately decreased although Government bears some loss.

The second item of expenditure is the establishment. This is further sub-divided into superior (non-voted) and subordinate heads and comprises salaries, allowances, and contingencies. The Council will note on page 20 that we have not

exceeded the revised figures under head 'Salaries,' while under head 'Establishment' our figures are somewhat higher than the revised, and this is accounted mainly by the lump provisions for the revision of the pay, a figure of Rs. 1.52. In allowances there is a fall from the revised figure, and this is due to the revision of pay above. In contingencies there is, however, a rise of Rs. 13,000.

Under head C the items are enumerated in Appendix E under 8—Forests. We are here incurring expenditure of Rs. 1,86,850 of a non-recurring nature and Rs. 1,20,060 as recurring. The latter item is on account of pay of the Chief Conservator and the Utilization Conservator, both non-voted, and the permanent subordinate establishment needed for their offices. Under non-recurring heads the principal items of expenditure are Rs. 40,000 for 12 sleeper ropeways, superior staff quarters at the Resin Factory, Jallo, Rs. 18,500 *plus* quarters at Jallo Rs. 12,000, and clerks quarters at Ghora Gali Rs. 17,000.

"The Resin Factory at Jallo is being somewhat extended by the addition of a second still, and it is hoped that thereby the output will be doubled, bringing in larger revenue.

"I may remark, in passing, that forests are a concern which require proper working. The more you spend on the Forest Department the more you get out of it. We are now having a Chief Conservator and a Utilization Conservator, and the under-manning from which the Department was suffering during the war is in process of being removed, and it is hoped that better results will follow from this addition to the superior staff. There are proposals under consideration—reclamation of lands near the rivers and to put them under forest, thereby increasing the forest area which indirectly helps in the rainfall average. The question of supplies of fuel is becoming very acute, and if the increase in area under Forest could be brought about by taking steps such as have been taken in Etawah and Cawnpore in the United Provinces, I have no doubt, the high prices in fuel could

be brought down. Mr. Courthope, who was at Etawah, is taking up this subject, and it is hoped that a scheme would be devised by him before we consider again the Budget next year.

The Forest Department only requires money for development to yield early and handsome returns in the shape of a greatly increased cash surplus. It is, therefore, very much to be regretted that Nunharni Sird project has been cut out. I have to say a word on head (4). On the expenditure of this Rs. 2 lakhs depends directly a revenue of Rs. 10 lakhs or more with another Rs. 10 lakhs when a saw mill is built at Rupar. The Forest Department wants all the budgeted money *plus* Rs. 3 lakhs or more in 1921-22 in order to harvest forest produce to the value of Rs. 20 or 25 lakhs to help to fill the depleted provincial coffers. It would willingly pay a good rate of interest for a loan. Without money the newly-sanctioned reorganization of the Department can bear but little fruit.

D. B. Raja Narendra Nath, who spoke in Urdu, moved that the following items be omitted :—

Under the head A—Conservancy and Works Nos. 3, 4, 5, 6, 11, 12, 13, 16, 22 and 29, amounting to Rs. 1,03,500 (non-recurring.)

The Hon'ble the President.—I think it will be better to deal first with entries Nos. 3, 4, 5 and 6. All these entries relate to ropeways.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia, speaking in Urdu, said that Government were compelled to ask for entries 3, 4, 5 and 6. The Department had to supply the labourers with their necessities and food-stuffs, because it was not possible for them to get all these things in the jungles. If the ropeways were given up they would have to resort to the *begar* system, which, he hoped, every member in the Council regarded as undesirable.

Pir Akbar Ali spoke in Urdu, and opposed the motion of Raja Narendra Nath as

regards items Nos. 3, 4, 5 and 6. He thought that if they postponed the ropeways great damage would be done to the timber which would be left lying in the forests and would be spoiled.

Mr. Ganpat Rai, speaking in Urdu, argued that the necessity for the entries under discussion had not been shown. Both Raja Sahib and the Hon'ble the Revenue Member had disclaimed any knowledge of these matters.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia, May I explain? I meant that I had no personal knowledge of the place where the work was to be carried out. I have knowledge of the facts as given to me by the Department.

Mr. Ganpat Rai proceeding said he was groping in the dark and had no materials on which to form a judgment, and no sufficient cause had been shown for the acceptance of the items. There were other matters of far greater urgency requiring the expenditure of public funds, and he appealed to the Council to support the motion for reduction. If necessary these particular items could be inserted later in the revised Budget.

Mian Beli Ram, speaking in Urdu, said that the rabi crop had failed and that the state of the zamindars was very bad, and therefore the urgency or otherwise of expenditure was a fair argument. Further, he said, that the Forest Department had been in existence for many years and had made no attempt to build ropeways. It seemed that the Government had waited till this Council was appointed to insert this item of expenditure in the Budget. He supported the motion for reduction.

Mr. D. J. Boyd.—The brunt of the attack on these ropeways, I understand, is that the time is not suitable for sanctioning the grant for them. The trouble about it is that the work has been postponed far too long. One of the ropeways in question is anticipated—this is only a rough estimate. I cannot make any promises on behalf of the Government, but the rough project brings out a profit of something like 10 lakhs a year on one ropeway. If we had had that 20 or

30 years ago we should not be in the unfortunate financial position in which we are at this moment, and we should not have been troubled so much about the prospects of a bad rabi. So that the argument as to time is exceedingly unfortunate. I may have to speak later on on other votes, Sir, so I will not say anything more at the moment.

Mr. H. A. Casson.—Sir, I think the suggestion from Mr. Beli Ram that this expenditure has been put into the Budget in order that it may appear to the public that this Council is spending more money than Government did before the Council existed is one which should not have been made. Now, as regards these ropeways the Punjab Government got out an expert on purpose to advise them as to how best to extract the enormous potential wealth which exists in the forests. There is Deodar, Kail, Chil, and Fir wood in abundance, and so far the fringe of the wealth which exists in these hills has hardly been touched. The expert consulted, while expressing his admiration of what the Forest Department with inadequate means of transport, and so on, had been able to accomplish, reported that the income might be enormously increased by proper means of extracting timber and a much larger staff of experts. He advised the installation, amongst other things, of these ropeways, and yet, Sir, directly we get expert advice as to the best means of increasing the revenues of the province so that money may be available for unproductive expenditure such as sanitation and education the Council is met by a motion requesting that this money should not be spent.

The Railways of India are crying aloud for sleepers, and are ready to purchase them from us. We cannot expect to increase our output of sleepers unless we increase our means of extracting sleepers. Every extra sleeper which is brought down to the market means so much extra revenue to this province, and yet the motion before the Council seeks to delete from the Budget expenditure which will enable us to get more sleepers out.

Again, there is a sum of Rs. 12,000 entered in the Budget for surveying a ropeway. This ropeway is destined to take up into the hills food-stuffs for the labourers employed in the hills. We cannot maintain such a large number of labourers in the hills unless we supply them with food. It will be much more economical to produce your wheat and grain in the plains and transport it by means of ropeways to the hills, so that your men may work at the productive work which exists on the spot. Then you can use the same ropeways for transport of potatoes, timber, and other produce from the hills and bring them to the market. Sir, I think, financially it would be the greatest folly to postpone this expenditure by one day more than is necessary. It will bring in money 100 per cent on its expenditure.

**Chaudhry Ali Akbar** spoke in Urdu, and said that the grant for these works should not be cut down.

**Malik Feroz Khan**, spoke in Urdu, and said :—The gentlemen who have spoken before me have not explained the nature of the work for which this money is required. I have seen such ropeways in Switzerland. They consist of steel ropes which are laid from the top of a mountain to its foot. By their means things can be pulled up and let down the hills. They are necessary for bringing forest products into the market and also for taking up into the hills food, tools, etc., for the use of the workers up there. I think that any further discussion on the subject would be a waste of time. I hope that **Diwan Bahadur Raja Narendra Nath** will be satisfied with this explanation and that he will withdraw his motion.

**Sardar Bahadur Sardar Mehtab Singh** (spoke in Urdu). Before the speeches many of the members were unaware that the expense to be incurred over these items would be profitable. He hoped that **Diwan Bahadur Raja Narendra Nath** would withdraw his motion. When any unprofitable expenditure was put before the Council efforts should be made to cut it down. Expenses on profitable scheme

like the one under discussion should not be cut down.

**Diwan Bahadur Raja Narendra Nath** (spoke in Urdu). I am not prepared to withdraw my motion. My contention is that these expenses should be postponed for one year, and I do not see that there can be any harm in doing so.

**Khan Bahadur Mir Muhammad Khan**.—Sir, the Council has overlooked the fact in their discussion of the Budget that this is the first Session of the new Council. The Reforms have come into force in the middle of several pending schemes, and, unless and until the members have intimate knowledge of what has gone before, they cannot very well cut and clip the Budget by simply looking at Appendix E and raising objections to items which do not appeal to their mind. I am afraid this procedure will tend to wreck the Reforms.

I must inform the Council that the Forest Department is by no means an unimportant one. In a few years' time it will become one of the most paying departments of the Government. In the beginning of our Budget discussion it was remarked that this is not a paying department, but you will see that it will pay Government before long. The four items under discussion are simply required for the means of communication. Every business man will first look to the ways and means of communication, and, unless and until he knows what will be the means of communication, he cannot start any business. It has been clearly explained by Mr. Casson that the ropeways are simply the means of communication. The products from the interior of the hills will be brought to the plains by means of these ropeways and provisions for the labourers will be taken from the plains up into the interior of the hills by them. At present the members of this Council are not aware that these things are done either by means of labour or mules which take a very long time, and in the long run it is a very expensive job. I, therefore, hope that the Council will unanimously pass these four items because it is our



own concern and we should not grudge these items being passed as they are required for a good object and are very paying and profitable in the end.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia, spoke in Urdu. He said :—I only wish to make a few remarks as regards the discussion that has taken place. Lala Ganpat Rai has urged that it is unnecessary to take up these works now. I would like to say that if seed is not sown at the proper time it will bring in no crop. Similarly, if we will not incur expense over these works at a time, when it is deemed necessary to incur it, we shall have no profit.

MR. GANPAT RAI further said : "It is not necessary that a diver should bring out pearls every time, but I must tell him that a diver in the ocean of the forest is sure to bring out something and he would not come out empty-handed."

The motion to omit entries 3, 4, 5 and 6 on account of ropeways was then put to the Council and lost.

Diwan Bahadur Raja Narendra Nath, who spoke in Urdu, next dealt with entries Nos. 11, 12, 13 and 16 which were to provide residential houses for officers and clerks. The speaker thought that this expenditure was at present unnecessary. It could be postponed. It had not been taken up till this time, and there was no reason to incur it in the face of a deficit Budget.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia, spoke in Urdu, and said that it would be sufficient for him to point out that Government had to provide for their officers and men who were out on duty. If the Council agreed that they should get some quarters and should be protected from dangers to which they were exposed they should not hesitate to give their assent to this expenditure.

PIR AKBAR AH spoke in Urdu, and said that he understood Raja Sahib to admit the necessity of this expenditure, but that he wanted it to be postponed. The speaker thought there was no reason to withhold assent to such an expenditure which was

absolutely necessary. He opposed the motion.

Khan Bahadur Mir Muhammad Khan spoke in Urdu and opposed the motion on the ground that when it was considered necessary there was no reason to raise objections. He thought any further debate would be useless.

Malik Firoz Khan.—I move the closure, Sir.

Mr. Ganpat Rai.—What items are being debated, Sir?

The Hon'ble the President.—Entries Nos. 11, 12, 13 and 16 regarding quarters for officers and clerks.

The motion that entries Nos. 11, 12, 13 and 16 to provide quarters for officers and clerks be omitted was put to the Council and lost.

Diwan Bahadur Raja Narendra Nath.—Sir, I now move that entry No. 22, construction of a forest rest-house at Barwain in the Una Range (Hoshiarpur Division) be omitted. I understand that the Government accept this motion so I need say no more about it.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Yes, Government accept the motion. The motion was put and carried.

The Hon'ble the President.—The next matter is entry No. 29 re building clerks' quarters at Ghora Galli, the summer headquarters of the Rawalpindi West Forest Division.

Diwan Bahadur Raja Narendra Nath spoke in Urdu. He said that his object in putting forward these motions was to elicit information in order to educate members on the point. There was no desire unnecessarily to discuss the matter. But, on the other hand, instead of giving some information and explanation, debates continued. He only wanted to know if it was urgently necessary to undertake this expenditure.

Mr. E. Joseph spoke in Urdu, and pointed out that the expenditure had been included in the Budget after carefully going into the matter. The Executive Engineer and the Superintending Engi-

near had sent in maps, and it had been considered absolutely essential to undertake the repairs because the buildings were in a hopelessly dilapidated condition. If they did not undertake the repairs at once there was danger of loss of life because the buildings would crumble down.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia,** spoke in Urdu, and said that he only wanted to point out that these houses were built in 1900. They were built of brick and mud, *katcha* masonry, and the buildings were in a dilapidated condition. They required repairs and rebuilding.

**Diwan Bahadur Raja Narendra Nath.**—I ask leave to withdraw, Sir.

The motion was by leave withdrawn.

**The Hon'ble the President.**—"The next item stands in the name of Mr. Ganpat Rai. He will move :—

"That Rs. 18,500 for Superior Staff quarters for the Resin Factory at Jallo be omitted."

**Mr. Ganpat Rai,** spoke in Urdu. He said that Jallo was quite near Lahore. The factory at Jallo was situated just by the Railway station. If this factory had been in some jungle and out-of-the-way place, there would have been some justification for the expenditure. But as matters stood he could not find any necessity why Government should incur it. There might be some people, he said, who would be prepared to build bungalows there and give them on rent. The speaker hoped that the Council would accept his motion.

**Pandit Daulat Ram, Kalla,** spoke in Urdu, and opposed the motion on the ground that Mr. Ganpat Rai had mentioned no persons who were prepared to build bungalows there. The factory at Jallo was a very important concern yielding resin and turpentine, and they had to engage qualified officers to work this factory, and they had undertaken to supply quarters to them. If they could not do so the officers would go away and the factory could not be worked. He said there was an urgent necessity for this expenditure.

**Raj Sahib Lala Panna Lal** spoke in Urdu and opposed the motion on similar grounds.

**Mr. Ganpat Rai.**—I ask leave to withdraw my motion, Sir.

The motion was by leave withdrawn.

**The Hon'ble the President.**—The next notice covers B—Establishment—Item No. 2 of Appendix E, Rs. 95,000. I understand that since the Budget was presented the salaries of the Conservator and the Utilisation Conservator have been sanctioned by the Secretary of State, and therefore they do not come before this Council. The Government has accordingly reduced the demand of Rs. 95,000 by Rs. 51,600, the amount sanctioned by the Secretary of State, leaving only Rs. 43,400 before this Council.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—That is so.

**Diwan Bahadur Raja Narendra Nath.**—Sir, in that case it is unnecessary for me to move my motion, because the employment of the establishment for which this sum is required is a necessary corollary of the appointment of these officers. I ask leave to withdraw my motion.

**Mr. Ganpat Rai.**—I have a similar motion and I wish to press it.

**The Hon'ble the President.**—The position is that there is a motion before the Council that leave be given to withdraw the motion for reduction.

**Mr. Ganpat Rai.**—I am opposed to this withdrawal. If the Secretary of State sanctions an appointment and we do not think that appointment necessary.....

**The Hon'ble the President.**—I must point out to the Hon'ble Member that the motion is simply that the motion for reduction be withdrawn. The Hon'ble Member must not speak on the merits. He may point out why the motion should not be withdrawn, and if the Council agrees with him he can make a speech on the merits. I can not allow a long speech on the merits now.

**Mr. Ganpat Rai,** speaking in Urdu, again dealt with the merits of the case.

**The Hon'ble the President.**—Mr. Ganpat Rai, you must obey my ruling. You are wandering off the point again.

**Mr. Ganpat Rai** continued to speak in Urdu.

**The Hon'ble the President.**—It is now 1-15, the time fixed for the conclusion of the discussion of this grant. I put it to the Council that Raja Sahib's motion be withdrawn.

The motion was by leave withdrawn.

**The Hon'ble the President.**—There is an identical motion to that of Raja Narendra Nath standing in Mr. Ganpat Rai's name. This now becomes out of order, as Raja Narendra Nath's motion has been withdrawn.

It remains for Raja Narendra Nath to move the omission of item No. 1 of Appendix, Rs. 25,000, under the sub-head B—Establishment.

**Diwan Bahadur Raja Narendra Nath.**—  
I move accordingly.

It appears that the subordinate establishment is required for Chief and Utilization Conservators. The proposed establishment should not be engaged for the present.

**Mr. D. J. Boyd.**—To answer this motion will not take a long time. An expert has been appointed, and it is proposed to add exploitation division in Bashahr, Kulu, and Hoshiarpur. For these divisions subordinate establishment is obviously required. I may explain that the exploitation in these divisions will certainly be profitable. The services of an expert have been obtained from Oxford University. He has estimated that within ten years we can expect an income of 75 lakhs and a net surplus of 80 lakhs. I hope Hon'ble Members will grant this demand. It would be a penny-wise and pound-foolish policy to reduce the demand by a trifling item of Rs. 25,000.

The motion was put to the Council and lost.

**The Hon'ble the President.**—The original motion before the House was that Rs. 45,49,400 be voted under the head 8—Forest Department. The Council rejected Rs. 5,000 on account of the construction of a rest-house at Barwain. There remains the sum of Rs. 45,44,400. The motion before the Council is that this sum be granted under head 8—Forest.

The motion was put to the Council and declared carried.

**The Hon'ble the President.**—Sirdar Sahib, the Council grants you Rs. 45,44,400 under the head 8—Forest.

## TIME OF DISCUSSING EACH GRANT.

**The Hon'ble the President.**—Sir John Maynard, with a view to give the Council more time for discussion I would ask Government to take less time in introducing their motions for grants. Under the rules His Excellency the Governor has fixed periods for the discussion of each grant; and it is not fair on members that so much of the limited time available should be occupied by Government in making explanatory remarks of a general character. It will be quite enough if Government will explain briefly the objects of the demands made, and will then give any explanations needed about the items to which objection has been taken. A timely word of explanation often saves a long discussion. For instance, the Council occupied an hour in discussing ropeways, when it was evident that many speakers had no idea what ropeways were, until M. Feroz Khan explained them. A brief explanation at the beginning would have saved the time of the Council. It would also, I think, have saved much unnecessary discussion if the Council had been told at an earlier stage that Government were starting on a new policy of exploitation to make money. When unnecessary discussion takes place valuable time is wasted, and, with our time rationed, I am put in the position either of having to hustle speakers on the earlier motions so as to give speakers on the later motions a chance, or allowing the speakers on the later motions to be crowded out. This morning I have had to ask members to curtail their speeches. I trust they understand that I have done so in the interest of the Council as a whole.

The Council adjourned at 1-30 until 2 P.M.

## REGISTRATION GRANT.

**The Hon'ble K. B. Mian Fazl-i-Husain.**  
—“Sir, I move that a sum of Rs. 2,26,000 be granted under the head 9—Registration for the year 1921-22.” The Hon'ble Member then spoke in Urdu. He hoped every member knew what registration meant and what its importance was. In the year 1921-22 the registration income was estimated at Rs. 6,59,000, and the expenditure at Rs. 2,26,000. This left a balance of Rs. 4,33,000.

The motion was put and carried.

**The Hon'ble the President.**—Mr. Minister, this Council grants you a sum of Rs. 2,26,000 under the head 9—Registration.

## IRRIGATION (INCLUDING WORKING EXPENSES) GRANT.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Sir, I move that a sum of Rs. 1,48,72,000 be granted under the head Irrigation.

The probable expenditure voted and non-voted for which the demand is put before the Council is 1,60 lakhs out of which 1,47,72 is voted and 12,28 non-voted. I need not detain the Council very long on this, but I will just briefly mention that chiefly in the voted demands are the working expenses through the Public Works Department both for productive and non-productive works. Besides there is an expenditure of 19.50 lakhs which has been provided for in the Budget. I will briefly relate to the members of this Council the different items that form part of this demand. The first item of Rs. 1,11,42,000 is for the working expenses productive, Rs. 1,34,000 unproductive. The details of this expenditure are totalled about Rs. 1,23,70,000. If the members like I can give the details. I have got the statement. These are :—

	Rs.
Western Jumna Canal	15,90,000
Upper Bari Doab Canal	14,50,000
Sirhind Canal	11,50,000
Upper Indus Canal	4,82,000
Sirhind Canal	1,48,000

	Rs.
Indus Inundation Canal	3,20,000
Lower Chenab Canal West	13,00,000
Lower Chenab Canal East	12,00,000
Lower Jhelum Canal	8,30,000
Upper Chenab Canal	14,00,000
Upper Jhelum Canal	9,50,000
Lower Bari Doab Canal	13,50,000
Reserve to meet cost of revisions added on by Accountant-General	2,00,000

That is the first item. This includes the practical improvements for making repairs and maintenance, tools and plants and refunds of revenue.

Out of this total Rs. 13,400 is on account of refunds of Revenue, Tools and Plant Rs. 1,42,300, Establishment Rs. 68,05,100, Maintenance and Repairs Rs. 45,52,000, and Extensions and Improvements Rs. 8,57,000. Another big item of expenditure is Rs. 1,34,000. This comprises the Shahpur Canals Imperial Rs. 1,15,000 and the Ghaggar Canals Imperial, Rs. 18,600, which is divided up into Extensions and Improvements Rs. 7,500, Maintenance and Repairs Rs. 41,900, Establishment Rs. 83,800, and Tools and Plant Rs. 400.

Other expenditure of a similar nature which is in the Budget is Rs. 14,27,300, or in round figures Rs. 14,27,000. The details of this are :—

	Rs.
Lower Sutlej Inundation Canals	2,50,000
Chenab Inundation Canals	2,05,000
Muzaffargarh Inundation, Canals	4,20,000
Shahpur Provincial Canals	80,000
Nawal Dam and Canal	33,000
Kitchin-Irving and Mehdi Khan	23,000
Thal Surveys by Irrigation Branch	1,50,000
Thal and Bari Doab Tract Surveys by Surveyors-General	2,86,000
Kohat Torrent Surveys	300

TOTAL ... 14,27,300

This is divided up into Extensions and Improvements Rs. 1,84,900, Maintenance and Repairs Rs. 3,98,100, Establishment Rs. 8,36,800, Tools and Plant Rs. 4,800, Refunds of Revenue Rs. 700, and Suspense

Rs. 2,000. I will just explain that the Lower Sutlej Valley Inundation Canals charge for Extensions and Improvements of Rs. 40,600 consists of provisions for petty and unforeseen works under Rs. 50,000 each. For the Chenab Inundation Canals the same charge of Rs. 10,000 consists of provisions for petty works only; in the case of the Muzaffargarh Inundation Canals this charge of Rs. 31,200 consists of petty works (i) Habib Escape Scheme Rs. 10,000 and (ii) Extension of Puran Escape and making flood embankment Rs. 8,000. I am afraid I cannot give you the details as they have not been furnished to me by the Department.

Gentlemen, I do not think I need detain the Council any longer. The expenditure that has been provided is a paying concern and is one of the backbones of the Provincial finances, and I hope that the demand which has been made will be granted. I move, Sir, that Rs. 1,48,72,000 be granted for the Irrigation Department.

The motion was put and carried unanimously.

**The Hon'ble the President—**Mr. Ives, you are to be congratulated on the way in which this vast sum has been voted for your Department. It shows confidence in the supreme direction of the canals of this province. But I think I shall be interpreting the feeling of the Council

when I say that, although there is satisfaction with the supreme command, there are yet matters relating to your Department which members would like to discuss with you while they are in Lahore.

**Mr. H. W. M. Ives.**—Mr. President, on behalf of the Department, of which I am the representative, I wish to tender my sincere thanks for the way in which, without demur, this Council has sanctioned our budget for the year. It is a great satisfaction, indeed, to me and to the Department, which is practically the backbone of the province in the way of revenue. It is certainly very gratifying to me and to all members of my Department; and all Government members will, I am sure, support me in thanking the members for the way in which they have agreed to this demand for irrigation. I am always ready at any time in my office between 10 and 4 o'clock to meet any deputation of Hon'ble members, or any member who would like to enquire into the working of our Department, whether it concerns particular new works estimates or particular working expenses estimates, or anything about which any member may like information. I am always ready to help members and also to send them on to younger members of my Department who will be able to explain to them anything which requires explanation.

The Council adjourned till 10-30 A.M. on the 5th March 1921.

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## PUNJAB LEGISLATIVE COUNCIL.

*Saturday, 5th March, 1921.*

THE Council met at the Council Chamber at half past ten of the clock. The Hon'ble the PRESIDENT in the Chair.

### QUESTIONS AND ANSWERS.

#### BEHAVIOUR OF EUROPEAN OFFICIALS.

R. S. Sardar Harnam Singh asked question No. 166 on behalf of R. B. Lala Hari Chand.—Will the Government be pleased to inform the Council if Lord Hardinge issued any instructions regarding the guidance of European officials, how they should treat Indians, and, if so, how far it has been acted upon?

The Hon'ble Sir John Maynard.—In 1912 a pamphlet on social intercourse with Indians was circulated to all officers. In 1913 the Government of India addressed the Punjab Government on the subject of the guidance of young officers in Indian etiquette, and laid down the principle that manifestations of grave defects of temper and repeated loss of self-control should be regarded as constituting inefficiency.

The Governor in Council believes that the principles which should govern social intercourse with Indians are well understood.

#### ELECTORAL ROLLS.

94. S. B. Sardar Mehtab Singh.—Will Government please state if (the village of) Chak No. 160-S. B. in Shahpur District was accorded the franchise and its duly qualified voters entered in the electoral roll and given a right to

vote? If not, will Government please state why was it deprived of the rights and will Government please make full inquiries as to similar other omissions and deprivations?

The Hon'ble S. B. Sardar Sundar Singh, Majithia.—I presume the enquiry of my friend is about Chak No. 160-S.B., as there is no such village Chak No. 10-S. B. in the Shahpur District. In case my presumption be correct then I may inform my friend that the voters of that village were duly entered at Nos. 434 to 438 of the Sikh electoral list for the Kana-Sillanwali, Tahsil Sargodha. The omission was due to an oversight in printing.

S. B. Sardar Mehtab Singh.—Were these men given a right to vote, and did they give their votes?

Malik Firoz Khan.—I ask for notice, Sir.

#### LIQUOR CONSUMPTION.

95. S. B. Sardar Mehtab Singh.—Will Government be pleased to state how much excise revenue and the consumption of liquor has increased within the ten years from year to year. Will Government be pleased to have a statement prepared and placed on the table?

The Hon'ble Lala Harkishan Lal.—A statement giving the information asked for in the question is placed on the table.

*Statement showing the total Excise Revenue and Consumption of Liquor for the past 10 years.*

YEAR.	Total Revenue.	Country Spirits, proof gallons.	IMPORTED.		INDIAN MADE.		Total Consumption.
			Wines, proof gallons.	Spirits, proof gallons.	Coloured Rum, proof gallons.	Whisky, etc., proof gallons.	
1910-11	Rs. 57,04,769	...	...	...	...	...	559,276
1911-12	63,61,600	459,786	20,347	69,728	6,327	6,715	563,214
1912-13	65,73,298	419,932	16,760	62,409	7,338	11,817	517,753
1913-14	69,08,669	418,444	14,847	55,302	7,297	10,535	506,895
1914-15	69,21,091	382,236	14,982	47,898	6,045	11,517	462,678
1915-16	70,08,878	331,609	15,953	52,683	4,720	12,691	417,653
1916-17	75,20,888	357,818	16,025	44,114	6,101	13,343	437,401
1917-18	82,05,100	393,041	13,189	48,092	6,984	15,002	481,303
1918-19	1,02,30,340	456,637	19,943	47,957	15,477	23,908	569,122
1919-20	1,24,43,750	545,271	20,436	55,436	26,220	37,373	635,786

### RECOGNITION OF SCHOOLS IN RAWALPINDI DIVISION.

96. S. B. Sardar Mehtab Singh.—

(a) Will Government be pleased to state the number of schools of each of the three communities which applied for recognition in Rawalpindi Division during the last two years and how many of these were accorded recognition?

(b) Will Government be pleased to state how many schools from Shahpur town applied for recognition, which of them were accorded and which refused recognition, and on what grounds?

The Hon'ble K. B. Mian Fazl-i-Husain.—(a) During the past two years applications for recognition have been received from ten Hindu and six Sikh schools in the Rawalpindi Division. Re-

cognition was accorded to seven of the former and five of the latter. No Muhammadan schools applied for recognition.

(b) Two applications for recognition have been received from schools in Shahpur town. Both are at present under consideration.

### CONTROL OVER FACTORIES.

97. S. B. Sardar Mehtab Singh.—Will the Hon'ble Minister for Agriculture state if he is satisfied with respect to—

(a) The treatment of factory owners in the province by Factory Inspectors and other officials;

(b) The sufficiency of water supplied to factories by the Canal authorities; and.

(c) The arrangements made by the staff of Agriculture Department at the sales of American cotton.

**The Hon'ble Lala Harkishan Lal.**—No complaints have reached Government which should cause it to be dissatisfied on any of these three heads, but Government will always be glad to consider any concrete suggestions for improvement.

### SALES OF AMERICAN COTTON.

**98. S. B. Sardar Mehtab Singh.**—Will the Hon'ble the Minister for Agriculture have a statement of sales of American cotton by the Agriculture Department prepared showing the dates, places, rates, purchasers, and the quantity of sale for the last five years?

**The Hon'ble Lala Harkishan Lal.**—\*Five statements giving the information required by the Member are laid on the table.

\*Not printed.

### COTTON CULTIVATION FOR LANCASHIRE MILLS.

**99. S. B. Sardar Mehtab Singh.**—Is it a fact that the Government contemplate granting a large area of land in the Province for cotton cultivation to a Company in the interest of Lancashire Mills? If so, will Government please state the area and the conditions of the contemplated grant and lay the papers on the table?

**The Hon'ble Lala Harkishan Lal.**—I refer to the particulars given in the answer to question No. 25 asked by Diwan Bahadur Itaja Narendra Nath.

### GOLDEN TEMPLE ACCOUNTS.

**100. S. B. Sardar Mehtab Singh.**—In view of the fact that the future management and control of the Golden Temple has passed into the hands of the Sikh community will Government be

pleased to cause a statement of the accounts of the Temple for the period of its stewardship to be prepared and published?

**The Hon'ble K. B. Mian Fazli-Husain.**—Government cannot do as requested for the reason that it has never stood in the position of steward of the Golden Temple, or its property. It has hitherto appointed the Manager of the Golden Temple but the management has been entirely controlled by the person so appointed. It is understood that in recent years accounts have been published.

### SIKH GURDAWARAS AT NANKANA.

**101. S. B. Sardar Mehtab Singh.**—(a) Is Government aware that the state of affairs with regard to the Sikh Gurdwaras at Nankana Sahib continues to remain unsatisfactory?

(b) Will Government be pleased to state what action it proposes to take in fulfilment of the promise made by the Hon'ble Mr. French on 13th March, 1920, in his reply to Captain Gopal Singh's question in the Punjab Legislative Council?

**The Hon'ble K. B. Mian Fazli-Husain.**—The Government is aware that there are complaints about Sikh Gurdwaras at Nankana Sahib. The attitude and action of Government has been fully defined in the Press *Communique* of the 16th February, 1921, of which a copy is laid on the table.

### PRESS COMMUNIQUE.

It is understood that a Resolution is likely to be moved in the Legislative Council asking the Government to appoint a Committee of Enquiry to consider the existing management of the Sikh Gurdwaras, shrines, etc., and the efforts being made to alter such management and to report on the best method of settling disputes and of regulating future control of the

institutions. Without prejudice to the decision of the Council upon this or any similar resolution which may be moved it appears desirable to arrange for certain preliminary inquiries which will determine the points at issue between those who are at present in occupation of the shrines and those who desire changes in the management. With this object the Government has requested Sheikh Asghar Ali, C.B.E., I.C.S., to preside over a Conference to be held in Lahore as early as convenient. The Liromani Committee and the Akali Jatha jointly will be invited to nominate representatives not exceeding forty in all to attend this Conference. The Mahants, Sants and Pujaris, as represented by Lieutenant Kartar Singh, Bedi, will also be invited to nominate representatives not exceeding forty in number. The Conference will be empowered to invite any persons who in its opinion are likely to be able to assist in its deliberations. The functions of the Conference will be :—

(1) To enquire and determine as precisely as possible the questions which are in dispute in regard to the management of Sikh Gurdwaras and shrines.

(2) Wherever the inquiries made disclose the possibility of bringing about amicable agreement between those concerned to arrange compromises in regard to particular causes of dispute.

This Conference will have no power to adjudicate upon disputes otherwise than as indicated above.

#### COMMISSIONER'S LETTER TO BABA KARTAR SINGH, BEDI.

102. Sardar Bahadur Sardar Mehtab Singh.—(a) Is Government aware that a letter written by the Commissioner of Lahore to Baba Kartar Singh, Bedi, about Gurdwaras, has been printed and distributed broadcast?

(b) Is Government aware that the letter has produced a good deal of excitement and misapprehension and has been criticised in the press?

(c) Will Government please state if the letter was published with the authority of the Commissioner?

(d) If without authority, has Government any objection to have it withdrawn or explained?

(e) If with authority, will Government please state objects of its publication and distribution under the existing circumstances?

The Hon'ble Sir John Maynard.—(a), (b) and (c). The answer to these portions of the question is Yes, and the letter issued with the authority of Government. (d) and (e). The object of the letter to which reference is made by the questioner was merely to inform the Mahants of their legal remedies in the event of illegal attempts being made to dispossess them, and the letter in no way conveyed any suggestion that violence or force should, in any circumstances, be used by the Mahants. Similar endeavours have been made to point out to those who desire changes in the management of the Sikh shrines and Gurdwaras the necessity of adhering strictly to the processes provided by law for the achievement of their purposes. In the unfortunate disputes which have occurred regarding the management of these shrines and Gurdwaras Government has maintained and will continue to maintain an impartial attitude. The letter contains nothing to which exception can reasonably be taken.

#### KIRPANS.

103. Sardar Bahadur Sardar Mehtab Singh.—Will Government be pleased to state—

(a) Is not Kirpan excluded from the operation of the Arms Act with regard to all restrictions contained therein?

(b) Do not all the restrictions include those relating to manufacture thereof?

(c) Is Government aware that Kirpans have always been manufactured without any restriction and without any license?

(d) Is Government aware that an Assistant Commissioner and a Magistrate of the 1st Class at Lahore passed orders that no license for manufacturing Kirpans could be allowed as none was necessary?

(e) Is Government aware that prosecutions have been started at Lahore against the manufacturers of Kirpans, Sikhs as well as Muhammadans?

(f) Is Government aware that these prosecutions have caused a great deal of resentment and protest from the Sikh community?

(g) Does not Government consider that these prosecutions will create an impression that Government is unnecessarily restricting the religious duty of the Sikhs to possess and carry Kirpans?

(h) Were these prosecutions started with the previous sanction or permission of Government?

(i) Will Government be pleased to order the withdrawal of the prosecutions and thus remove the impression that under the guise of prosecution of the manufacturers the religious rights of the Sikhs were being restricted?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Under item 3 (iv) of schedule II of the Indian Arms Rules, 1920, Kirpans possessed or carried by Sikhs are exempt from all the prohibitions and directions contained in the Indian Arms Act of 1878. This concession was granted in 1914. Government, however, is advised that under section 5 of the Act the manufacture of Kirpans without a license is illegal. It is true that an Assistant Commissioner of Lahore informed an applicant for the grant of a license to manufacture Kirpans that such a license was not necessary if the weapons were sold only to Sikhs, but the mistake was soon rectified by the District Magistrate, who started the prosecution of two *Muslimans* and one Sikh manufacturers. No license for the manufacture of Kirpans has so far been required, because Kirpans worn by the Sikhs used ordinarily to be of the size of two or three inches. It is

within the last three or four years that large Kirpans have begun to be manufactured and worn. On the Lahore prosecutions coming to the notice of Government orders were issued that they should be withdrawn on the understanding that if the men wish to continue the manufacture of Kirpans they shall take out license on condition that the blades of all Kirpans manufactured should not exceed nine inches in length which is the size prescribed by the Military authorities for Kirpans worn by Sikhs in uniform.

#### SEPARATION OF JUDICIAL AND EXECUTIVE FUNCTIONS.

104. S. B. Sardar Mehtab Singh.—

(a) Will Government please state if a proposal to separate judicial and executive function of services in the Province is under contemplation?

(b) If not, will Government be pleased to consider the advisability of doing so?

The Hon'ble Sir John Maynard.—Government is willing to take this proposal into consideration and examine it.

#### PUNJAB CANALS.

105. S. B. Sardar Mehtab Singh.—

Will Government be pleased to lay on the table a statement showing the return for the last ten years on the capital outlay on each system of canals in the Punjab?

The Hon'ble S. B. Sardar Sundar Singh Majithia.—The statement\* printed at pages 4 and 5 of the Administration Reports of the Punjab Irrigation Department for the years 1910-11 to 1918-19 placed on the table give the necessary information.

\*Statement not printed.

## REVISION OF ASSESSMENT IN THE PUNJAB.

**106. S. B. Sardar Mehtab Singh.**—Will Government be pleased to lay on the table a statement showing the number of the times each district in the Punjab has come under revision of assessment of land revenue and showing also the increase of cultivated areas, amount of land revenue assessed, and the area under irrigation in each district at the time of each settlement.

**The Hon'ble S. B. Sardar Sunder Singh, Majithia.**—The first item of information asked for will be found in Appendix III of Donie's Settlement Manual. Government is prepared to compile and lay on the table a statement giving the other information asked for, but, owing to the number of separate settlements involved, and, more especially, to the fact that there have been numerous adjustments of boundary in units settled from time to time, such a compilation will involve a very considerable expenditure of time and labour. If the Member so desires endeavours will be made to have the statement completed in time for presentation at the next Session of the Council.

## ROAD TO NANKANA SAHIB.

**107. S. B. Sardar Mehtab Singh.**—Is Government aware that considerable inconvenience is felt by visitors to Nankana Sahib on account of the absence of a direct metalled road from Lahore to Nankana Sahib?

**The Hon'ble Lala Harkishan Lal.**—The road in question not being maintained by the Public Works Department Government has no knowledge as to its condition, nor of the inconvenience felt by visitors to Nankana Sahib, owing to the present condition of the road.

**108. S. B. Sardar Mehtab Singh.**—Will Government be pleased to take steps to remove this inconvenience.

**The Hon'ble Lala Harkishan Lal.**—The matter will be brought to the notice of the District Board concerned.

Questions Nos. 167, 168 and 169 standing in the name of Sardar Randhir Singh were not put owing to his absence. The replies were given in the public interest.

## ARMS ACT.

**167. Sardar Randhir Singh.**—Is the Government aware of the fact that Taluqdars of the United Province are exempt under the Arms Act from taking license?

If so, is the Government prepared to make a similar exemption in favour of the Punjab Chiefs? If not, why not?

**The Hon'ble S. B. Sardar Sunder Singh, Majithia.**—The answer to the first part of the question is in the affirmative.

In the Punjab all Ruling Chiefs are already exempt as well as all great Sardars and Jagirdars. All Provincial Darbaris whose names are on the list of Precedence of such Darbaris which is maintained by Government and a few other gentlemen have been declared as such Sardars and Jagirdars.

## JUVENILE SMOKING ACT.

**168. Sardar Randhir Singh.**—Will the Government lay on the table for the information of the Members—

- (a) Total number of cases reported under the Juvenile Smoking Act;
- (b) Number of convictions;
- (c) The amount of fines realized.

If the answers to questions (a), (b), & (c) are in the negative will the Government state why the provisions of the Act are not stringently enforced?

**The Hon'ble Sir John Maynard.**—The total number of cases reported under the Juvenile Smoking Act is 2; but no convictions have been made nor any fines realized.



# CLOSURE OF DISPENSARIES ON SUNDAYS.

**169. Sardar Randhir Singh.**—Is the Government aware that under the new circular of the Inspector-General of 1920—

(a) Dispensaries are closed to out-door patients on Sundays ;

(b) If so, is the Government further aware of the great hardship and inconvenience thus caused to the public ;

(c) If so, what steps the Government is prepared to take to remove it ?

**The Hon'ble K. B. Mian Fazl-i-Husain.**—(a) Government is aware that out-patients departments in hospitals and dispensaries of the Punjab are now closed on Sundays, as is the universal custom in the United Kingdom and in the Bombay Presidency. But some of the responsible staff always remain on duty to attend to urgent cases and to those requiring admission to hospital.

(b) Government is not aware that great hardship and inconvenience are caused to the public on this account ; nor has responsible representation to this effect been made.

(c) The rule has apparently worked satisfactorily. Enquiry will be made from Civil Surgeons ; and, if any hardship or inconvenience to the public is proved to exist, Government will be prepared to reconsider the rule.

## PUNJAB PROVINCIAL SERVICE AND THE BAR.

**170. Pandit Daulat Ram, Kalial.**—Will the Government consider the desirability of recruiting 50 per cent. of the Punjab Provincial Civil Service from the members of the Bar ?

**Mr. C. M. King.**—Government does not consider it desirable that 50 per cent. of the recruits for the Provincial Civil Service should be drawn from members of the Bar. Such an arrangement would

cause serious discontent among the other classes from whom recruitment is now made.

## RECRUITMENT OF EXTRA ASSISTANT COMMISSIONERS.

**171. Pandit Daulat Ram, Kalial.**—How many Extra Assistant Commissioners have been recruited during the last five years from out of the Court Inspectors in the Punjab and how many from the Excise Inspectors ?

**Mr. C. M. King.**—Two Court Inspectors and three Excise Inspectors.

**172. Pandit Daulat Ram, Kalial.**—Will the Government consider the question of recruiting more Extra Assistant Commissioners from the Court Inspectors than heretofore ?

**Mr. C. M. King.**—Recommendations from the Inspector-General of Police for nomination of Extra Assistant Commissioners from among Court Inspectors and other Police Officers are considered with recommendations of Heads of other Departments and the most suitable candidates are selected. It is under contemplation to appoint another candidate to the Provincial Civil Service from the Police Department.

## ACTION AGAINST PUBLIC WORKS DEPARTMENT OFFICERS.

**173. D. B. Raja Narendra Nath.**—Will Government be pleased to state against how many officers employed in the various Branches of Public Works Department has action been taken since 1910 under Government of India Resolution No. 533-48-E., dated the 21st May 1920.

How many of these were—

(a) Indians ?

(b) Europeans ?

Were the furlough and the pensionary rights of these officers fully safeguarded in each case ?

**Mr. C. M. King.**—As far as the Buildings and Roads Branch is concerned no officer, Indian or European, has been retired at the age of 50 years since 1910 under the Government of India Resolution quoted.

In the Irrigation Branch four officers.—(a) two Indians (one at his own request) and (b) two Europeans—have been retired under the Government of India Resolution quoted.

As regards safeguarding furlough and pensionary rights the answer is Yes.

**D. B. Raja Narendra Nath.**—The answer is only as regards Irrigation Department, I want to know about all Departments.

**Mr. H. W. M. Ives**—I understand that from the Public Works Department Branch no action has been taken.

#### GURDASPUR DISTRICT DISTURBED AREA.

**174. D. B. Raja Narendra Nath.**—Will Government be pleased to state whether Gurdaspur District was proclaimed in 1919 to be a disturbed area under Section 15 of the Police Act, and, if so, what were the events which justified such declaration, and in what part of the district they occurred?

Was any punitive post located in the district, if so, where?

Was any compensation paid under Section 15-A?

What was the amount recovered for award of compensation and for the punitive post, and from what section of the inhabitants was the recovery made?

**The Hon'ble Sir John Maynard.**—The Gurdaspur District was proclaimed a disturbed area under Section 15 of the Police Act on 21st April 1919. The reason for this declaration was the repeated cutting of telegraph wires. Information as to the nature and places at which this damage was done is given at page 189 of the report of the Disorders Inquiry Committee.

No punitive police was located in that district in connection with the disturbances of 1919. A punitive police post was sanctioned in April 1919, for 15 villages which had been misbehaving previously by cutting canal banks.

Compensation was assessed under Section 15-A to cover the damage done by wire-cutting. The amount levied on this account is Rs. 1,580 and this is being recovered from income tax payers resident at Gurdaspur, Batala and Sujampur.

#### SCARCITY OF WATER IN FEROZEPUR.

**175. S. B. Sardar Mehtab Singh.**—Will Government be pleased to state—

(a) If it is aware that owing to scarcity of drinking water Ferozepore District Board has sunk a well in the District Board Serai at Muktsar for the convenience and the use of the public?

(b) Is the well being used by Hindus, Sikhs, Muslims and Christians alike without any let or hindrance?

(c) Were the Rahtias, duly baptised as Sikhs, obstructed when drawing water from the well?

(d) Did these men bring a regular suit for perpetual injunction against their being obstructed from drawing water from the well?

(e) Did the Deputy Commissioner of Ferozepore on 5th May 1920, on the application of Bhai Harnam Singh, Parcharack, order the Tahsildar to allow these men to use the well according to the terms of the Civil Court decree?

(f) Have the decree and order been carried out and are these men now permitted to draw water from the well?

(g) If not, will Government be pleased to order that they may be carried out and these men allowed to draw water from the well like other subjects of His Majesty the King-Emperor?

(h) Has the notice of the Government been drawn to the articles on the subject

in the Press, particularly those in the *Loyal Gazette* of 5th October 1919, 1st August, 15th August, 17th October. The *Sikh* of 15th and 22nd August 1920, and in the *Khalsa Samachar* of 21st October 1920?

(e) Is the same Tahsildar holding office at Muktsar against whom allegations were made before the Sub-Judge and in the Press as leading the agitation against these men?

(f) If so, will Government be pleased to see that these men are in no way prejudiced in getting their rights on account of the aforesaid officer's presence on the spot.

The Hon'ble Sir John Maynard.—The answer to parts (a), (b) (c), (d) and (e) of the question is in the affirmative.

(f) The District Board, not being a party to the suit, have refused to be bound by the decree of the Civil Courts and have passed a resolution to the effect that water should be taken from the well according to old custom, which is that Jhiwars draw water and distribute it to lower caste people such as Rahtias are.

(g) It is for the Courts to decide whether the District Board is or is not justified in its refusal.

(h) The answer is in the affirmative.

(i) The answer is in the affirmative.

(j) Government sees no reason to believe that the rights of Rahtias will in any way be interfered with by the presence of this Tahsildar at Muktsar.

#### SIKHS AND CENSUS DEPARTMENT.

176. Sardar Bahadur Sardar Mehtab Singh.—(a) Will Government be pleased to state if their attention has been drawn to the articles in the *Sikh* Press about column 8 of the Census Register?

(b) Has the Government noticed the articles headed as "The Coming Census and the Sikhs" and "Census Complaint

Continues Still" in the *Sikh* (the leading English Journal of the Sikh community), dated the 3rd October 1920, and 21st November, 1920, respectively, protesting against Sikhs being required to give their "caste" in connection with the coming Census?

(c) If so, will Government state what action has been taken or is intended to be taken in the matter?

(d) Is Government aware that Sikh tenets most emphatically denounce "caste," and the action of the Census Department is being severely criticised as provocative?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—(a) and (b) The attention of Government has been drawn to the articles referred to in the *Sikh*, dated the 3rd October and 21st November last.

(c) Government has issued orders to the Superintendent, Census Operations, to the effect that no Sikh should be pressed to name the caste to which he belongs if he does not wish to do so.

(d) In view of the information given above, it is hoped that the matter will be considered to have closed satisfactorily to all concerned.

#### EDUCATIONAL APPOINTMENTS.

177. Sardar Bahadur Sardar Mehtab Singh.—(a) Will Government be pleased to lay on the table a statement showing the Educational appointments under the new arrangements from all the three communities?

(b) Has the attention of the Government been drawn to an article headed "The Education Department and Sikhs" in the *Sikh* of 13th February, 1921, about the District Inspectorships?

(c) Will Government please state what action it proposes to take to remove the grievance?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—(a) A statement giving

the desired information is laid on the table.

(b) Yes; but it is *not* correct that "many eligible and highly qualified Sikhs have been superseded," and no such instance is mentioned.

(c) Government has been encouraging backward communities so far as it has lain in its power, to promote the cause of education, and, with due regard to efficiency, will take suitable action as opportunities arise to remove the grievances of all.

*Statement showing number of persons of various communities employed in the different cadres of the Punjab Education Department.*

NAME OF CADRE.	Hindus.	Muham- madans.	Sikhs.	Christians and others.	REMARKS.
1. Indian Educational Service	3 (including one Offg.).	1	2 (Offg.)	18	2 vacancies.
2. Punjab Educational Service	40	21	7	5	4 "
3. Subordinate Educational Service, Anglo-Vernacu- lar Section.	288	148	36	6	6 "
4. Subordinate Educational Service, Classical and Vernacular Section.	202	179	64	3	4 "
5. Clerical staff, Director of Public Instruction's Office.	10	18	2	6	2 "
6. Clerical Staff, Director of Public Instruction's Sub- ordinate Offices.	57	39	5		
Total ...	660	401	116	38	18 vacancies.

Questions Nos. 178 and 179 and 180 were not put owing to the absence of Sardar Dasaundha Singh. The replies were given in the public interest.

**BHAI RANDHIR SINGH,  
\* PRISONER.**

178. Sardar Dasaundha Singh.—(a) Is the Government aware that Bhai Randhir Singh of Narangwal, District Ludhiana, who was convicted in the Supplementary Lahore Conspiracy Case, is held in great esteem by the Sikhs for his purity of life and for his devotion to

religion, and that his release will give satisfaction to thousands of devoted Sikhs?

(b) In view of all this will the Government be pleased to release him either under the Royal Proclamation or in the exercise of the prerogative of mercy?

The Hon'ble Sir John Maynard.—The case of Randhir Singh of Narangwal was discussed at considerable length in the judgment in the Supplementary Lahore Conspiracy Case. It was found that it was a person with a certain amount of religious influence; but that he was the more dangerous on account of that

influence, which he misused. He was the means of leading several of the co-accused (including mere youths) into the actions which involved them in the conspiracy charges. He conspired to wage war on several occasions, and actually committed an act of war in going to Ferozepore in war-like array to attack the Arsenal there.

Government is unable to believe that those persons who desire the release of this man are acquainted with his character and the nature of his offence; and cannot concede to the suggestion conveyed in the question.

### THIKRI PAHRA.

179. **Sardar Dasaundha Singh.**—(a) Are the Government satisfied that the observance of Thikri Pahra serves a useful purpose, is not found irksome by the villagers, and that the system does not lend itself to corrupt practices?

(b) Are the Government prepared to discontinue the system?

**The Hon'ble Sir John Maynard.**—The Punjab Village and Small Towns Patrol Act, 1918, was passed by the Legislative Council without a dissentient voice. In villages the system is worked through Panchayats, which report on the number of persons required for patrol duty and the method of selection whether by rotation, by lot or otherwise. The Panchayats exercise powers to grant exemptions and to fine for neglect of duty. The system in thus a portion of village self-government and when properly carried out constitutes a valuable instrument of self-help. The reports which have been received upon it indicate that it is working well. But any reports of specific abuses in the local working of the Act will receive careful investigation.

### CLAIMS OF JAT SIKHS.

180. **Sardar Dasaundha Singh**—(a) Is the Government aware that in the

matter of appointments in the various Departments claims of Jat Sikhs have not hitherto been recognised to the extent to which their importance and their many-sided and valuable service entitle them?

(b) Will the Government be pleased to issue instructions to the Heads of various Departments that vacancies be filled preferably by qualified Jat Sikhs till this grievance of theirs is removed?

**Mr. C. M. King.**—(a) It is a regrettable fact that in the past owing to their backwardness in education the Jat Sikhs have not been as fully represented in the various Departments of Government service as they might otherwise have been.

(b) It does not seem necessary to issue such instructions. Government's general attitude towards the employment of the Zamindar classes is defined at length in its Resolution of the 3rd October 1919 to which Mian Ahmad Yar Khan drew attention the other day. There is very good reason to believe that the great interests which the Sikh community is now evincing in educational progress will in due course bring about the result which Government equally with the member desires to see, viz. a due proportion of Jat Sikhs employed in the various Departments of Government service.

### LIBRARY AND MEMBERS' COMFORTS COMMITTEES.

**The Hon'ble the President**—I have asked the following Members to serve on the Library and Members' Comforts Committees for the period of this Session:

**Library Committee.**—**Diwan Bahadur Raja Narendra Nath (Chairman).**

**Mian Muhammad Shah Nawaz.**

**Mr. Ganpat Rai.**

**K. B. Mir Muhammad Khan.**

**Pandit Danlat Ram, Kaliala.**

**Mr. K. L. Ballia Ram,**

**'Members' Comforts Committee.—K. B. Raja Muhammad Akbar Khan (Chairman).**

Rai Sahib Lala Thakar Das.  
Sardar Randhir Singh.  
Khan Sahib Chaudhri Fazl Ali.

### GOVERNMENT'S DEMAND FOR GRANTS.

#### "GENERAL ADMINISTRATION (RESERVED) GRANT."

The Hon'ble Sir John Maynard.—  
I beg to move that a grant amounting to Rs. 13,28,000 be voted for the Reserved Department of "General Administration" and of "37—Miscellaneous Departments" under the following details.—

*Minor Head.* *Amount.*

#### 22.—GENERAL ADMINISTRATION (RESERVED).

##### A.—Head of Province—

	Rs.
Sumptuary allowance of Governor.	12,000
Staff and household of Governor.	64,000
Expenditure from contract allowance.	22,000
Tour expenses	50,000

##### B.—Legislative bodies—

Legislative Council	1,55,000
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##### C.—Secretariat and Head-

Quarters Establishment	3,98,000
Financial Commissioners	1,87,000
Director of Land Records	55,000
Civil Officers of Account and Audit (Local Audit Department).	1,40,000

##### D.—Commissioners

Total	12,59,000
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#### *Minor Head.*

#### *Amount.*

#### 37.—MISCELLANEOUS DEPARTMENTS.

	Rs.
Inspector of Factories	19,000
Steam Boiler Inspector	21,000
Gazetteer and Statistical Memoirs.	4,000
Provincial Statistics	13,000
Miscellaneous	7,000
Total	69,000

I think there is no new principle and no new departure involved in these items. It is, therefore, unnecessary for me to give any explanation about them. I would, however, take the opportunity of explaining one or two items about which amendments have been put in. I hope my explanation will make it unnecessary to proceed with those amendments.

In the first place I should explain that there are certain items which are mentioned in Mr. Ganpat Rai's amendments Nos. (e) and (i). These items are:—

(e) C.—Secretariat and Head-quarters Establishment—Civil Secretariat—Rents, rates and taxes, Rs. 3,200

(i) C.—Secretariat and Head-quarters Establishment—Director of Agriculture—Rent, rate, taxes, Rs. 3,000

These rents are payable for the Secretariat buildings, and taxes, etc., are payable to the Municipal Committee. Most probably it would not be desired that these items should be disallowed. I would therefore suggest that Mr. Ganpat Rai withdraw his amendments about these items;

Other items are (g) C.—Secretariat and Head-quarters Establishment—Financial Commissioners—Lahore Allowance, Rs. 1,000; and

(j) C.—Secretariat and Head-quarters Establishment—Commissioners—Lahore Allowance, Rs. 1,000.



Mr. Ganpat Rai has put amendments about these items. An allowance of Rs. 5 per mensem is given to all the members of the non-gazetted establishment working in Lahore, whose pay is Rs. 95 or under. As Lahore is an expensive place I do not think these small items would be disallowed.

The next item is (k) C.—Secretariat and Head-quarters Establishment—Commissioners—Contract Contingencies, Rs. 27,850.

This item is for stationery, postage, telegraph, hot and cold weather charges and other ordinary expenses of offices. Mr. Ganpat Rai has put in an amendment for its omission. I do not think it will be desirable to appoint Commissioners on high salaries and then to ask them not to write letters: not to have a fire in winter nor pankhas in the hot weather. I trust Mr. Ganpat Rai will be satisfied and will withdraw his amendment.

With these remarks I introduce these grants for the consideration of the Council.

The Hon'ble the President.—Mr. Ganpat Rai will move that under 22—General Administration—

(a) B.—Legislative Bodies.—Traveling and Deputation Allowance of Members amounting to Rs. 20,000 be omitted.

Mr. Ganpat Rai.—Mr. President, as I said on the opening day of the Budget, when the general discussion was going on, this Council has no power to increase any head of the Budget, but can omit or reduce. I cannot, therefore, bring in any motion for any increase in a direct way. The Council will understand that my intention is not to omit this, but I ask the Government whether they are inclined to increase the Members.....

The Hon'ble the President.—The Hon'ble Member must not come to this Council with a motion for omission and explain that he means an increase. This motion is frivolous. I rule it out of order.

The Hon'ble the President.—The next motion standing in Mr. Ganpat Rai's name is:

(b) C.—Secretariat and Head-quarters Establishment—Civil Secretariat. That amount of Rs. 20,000 provided for officers on special duty be omitted.

Mr. Ganpat Rai.—Sir, I have not fully followed the Hon'ble the Finance Member as to the necessity for this item. I understand, there is a fixed number, a proper number, and I may say a number more than what is required, who hold permanent appointments in the Secretariat, and therefore in the absence of any definite and specific explanation as to what are these officers who are required to be on special duty, the public belief is that whenever there is no job for any superior officer and he has to wait before he takes over charge of any appointment, he is gazetted on special duty in the Secretariat so that some employment may be found for him in the interval. If I am correct I will certainly press, but if there is any other explanation to it and I am satisfied I will not press.

The Hon'ble Sir John Maynard.—I do not doubt, Sir, that there have been cases when officers have been temporarily placed on special duty for a week or so for the simple reason that there was no appointment to be found for them. It is necessary in certain circumstances that they should be provided for in this manner. But in the Budget this item is not merely to provide for such officers, but it is actually provided for additional work which from time to time is to be done, and for which it is not possible that the ordinary staff should be able to cope with. There are, of course, a number of officers on the staff of the Secretariat, but this staff has been calculated carefully with a view to do the normal amount of work that the Secretariat has got. There are cases in which very heavy jobs are put on the Secretariat, and it is not possible for the ordinary staff to take up the additional work, as for instance the writing of the annual

report on the general administration of the Province, or on the moral and material advancement of the Province. In cases of that kind, it is not possible for the ordinarily hardworked officers to drop their own work and do the special job. This provision is intended to meet such cases.

**The Hon'ble the President**—In view of what the Hon'ble the Finance Member has said, do you withdraw your motion, Mr. Ganpat Rai?

**Mr. Ganpat Rai**—Yes, Sir, after making a few remarks. (*Laughter.*)

**Mr. Ganpat Rai**—The object of this expenditure has now been very ably explained by the Hon'ble the Finance Member. I have also pointed out what the public belief is as regards this amount. I hope, therefore, that the Government will see that the money which is now being budgetted is really given to those officers for whom there is any special work. I accordingly withdraw my motion.

**The Hon'ble the President**—In view of the explanation given by the Hon'ble the Finance Member, Mr. Ganpat Rai applies for leave to withdraw his motion.

The motion was by leave withdrawn.

**The Hon'ble the President**—The next item to be moved by Mr. Ganpat Rai is that:—

(c) C.—Secretariat and Head-quarters Establishment—Civil Secretariat—Hill Journey Allowances of Rs. 21,700 be omitted.

**The Hon'ble Sir John Maynard**—There are three motions by Mr. Ganpat Rai all of which deal with the question of Hill Journey Allowances, and I think they can conveniently be taken up together.

**Mr. Ganpat Rai**—I am quite prepared to group them all together. The items are as follows:—

(c) C.—Secretariat and Head-quarters Establishment—Civil Sec-

retariat—Hill Journey Allowances of Rs. 21,700 be omitted;

(d) C.—Secretariat and Head-quarters Establishment—Civil Secretariat—Hill Journey charges of Rs. 2,000 be omitted; and

(e) C.—Secretariat and Head-quarters Establishment—Financial Commissioners—Hill Journey and Hill allowance of Rs. 4,500 be omitted.

**Sir, The Hon'ble the Finance Member** when asking for this demand said that they had followed the old system. So this Budget follows the old system, and that is why I have taken exception to these items. With the introduction of the Reforms Scheme, we expect a new system to be introduced, and not to stick to the old system. The Hon'ble Members are aware that in certain Provinces resolutions have been brought forward to the Councils to stop the exodus of the Government to the hills, and in one Presidency the period of exodus has been curtailed to three months—I speak subject to correction—I mean the Madras Presidency. Here we did not wish to bring in this resolution in the first session; but we want to give an opportunity to the Government that they should consider for themselves whether it would not be necessary for them to curtail the period of their hill exodus, and reduce the expenditure on that account.

For that reason I say that when the Deputy Commissioners, the District and Sessions Judges and other members of the Indian Civil Service, leaving aside the poor Indian services, are able to work hard and carry on work in the plains during the summer I cannot see why the other members of the Government cannot follow the same rule and work here and thus save the Province the expenditure incurred on account of their journey to the hills. This would also save people all the expenses which they have to incur when

going to visit them on business or for salaams, whatever may be their object. The Hon'ble Members will be pleased to observe that there is another hill journey allowance provided on page 13 for the staff and household expenses of the Governor. I have not taken exception to that and advisedly, because the next time when I or some of my friends bring this matter to the notice of the Council, namely, that the exodus to the hills be stopped we are going to exempt the Governor and his staff. Even this year I am not objecting to the Secretaries and others going to the hills, but I say that the subordinate staff should not be taken with them. The officers, if they like, can go without their staff and work there. I do not think the staff is anxious to go to the hills, because they will be much better off in the plains, and therefore I move that these hill journey allowances, which are given to the staff under three heads, should be stopped and the staff should remain here. A member of the Secretariat staff was pleased to see me this morning in the Council Chamber and asked me if I wished to stop their allowances. I asked him are you anxious to go to the hills? He replied if we have to go we ought to get allowances but he himself was not willing to go. Therefore I say the staff is not anxious to go there, and these allowances should be cut out of the budget of the present year, and let the officers drawing travelling allowances as usual, go to the hills for such period as they like pending consideration by the Government of the whole question till next year. And I hope they will not give this Council an opportunity to bring a resolution to stop the exodus altogether.

For these reasons I move that these hill journey allowances should be omitted.

**Pir Akbar Ali.**—Mr. President, it appears to me that the Hon'ble Member is of opinion that the higher authorities should go to the hills and the subordinate *amla* should remain here. In that case the officers will be sitting idle in the hills and the subordinate *amla* will be doing

no work here, while both will be drawing large salaries. I submit that this is downright waste. I therefore suggest that the Hon'ble Member should withdraw his motion.

**Rai Bahadur Lala Sewak Ram.**—I can sympathise with Mr. Ganpat Rai's amendment, but before he stops the exodus to the hills I cannot support him in stopping the expenses. He should first bring forward a resolution stopping the exodus to the hills, and after that his motion as regards the stopping of the expenses of the establishment will be to the point. But at present it looks as my second friend has just now said, as though the officers are to go and their establishments are to remain behind. I do not think this would be a suitable amendment at present, but it will be quite suitable when a resolution stopping the exodus of all the officers, except His Excellency and a few important Secretaries, is introduced. In the circumstances I do not think it is proper to ask the Government to cut down the expenditure on account of the poor clerks only.

**Mr. K. L. Rallia Ram.**—Sir, I rise to oppose Mr. Ganpat Rai's motion. There was a time when going to the hills was considered a luxury, but I think in these days of physical degeneration it is almost imperative that we should go to the hills. I can say from my own experience and from the experience of many other friends that a very large number of Indians now go to the hills, and we can testify to the great amount of work which we can do there as compared with the plains in the hot season. I think for the sake of efficiency and in the public interest that it is necessary that the officers should go to the hills along with the staff and I think we should not grudge this sum to them. And after all they are doing service for us, and the better they do it the better for us.

**Sardar Bakhtawar Singh,** speaking in Urdu said, that he opposed the three previous speakers and urged that although a little better work might be

done in the cool of the hills as a matter of fact by going to the hills the Government lost touch with the people and this necessarily affected the efficiency of the Administration which had to rely only on the reports of local officers

**Mr. Nawab Din, Murad.**—I strongly oppose the motion of the Hon'ble Mover. I think if he is questioned as to his own movements in the summer, probably the answer would be that he finds it necessary to go to the hills for a considerable time. Well, I think, he should be generous in the case of those friends who do not belong to this country and come from cold countries. Moreover, the efficiency of the administration requires that the staffs and the Heads of Departments should be together in one place. Therefore in the form in which he has proposed the amendment I strongly object to it.

**Mian Beli Ram** spoke in Urdu and said that he could not support Mr. Ganpat Rai's motion. So long as it was considered necessary for the Secretariat officers to go to the hills, the question of keeping the staff down and cutting out expenditure on that account should not be raised. Nor was it advisable to reduce the staffs accompanying officers to such an extent that the work could not be satisfactorily done.

**Khan Bahadur Mir Muhammad Khan.**—I request that the question may be put to the vote.

**The Hon'ble the President.**—Has the Hon'ble the Finance Member anything to say?

**The Hon'ble Sir John Maynard.**—It is the genuine desire of the Government that under the reformed constitution it should act with the full sympathy of this Council. In the past efforts have been made to reduce the period for which officers may stay in the hills, and also the number of officials accompanying them has been greatly reduced. Government have at present fixed 4½ months as the maximum period and the number of clerks, who are taken up from each office

is also very much restricted. But I may assure this Council that Government will be prepared to further scrutinize the number of clerks going up.

One of the members very feelingly expressed his opinion that the officers were physically too weak to stand the heat of the plains, and I have occasionally heard that the officers have not got much to do and they go up to the hills merely for the sake of enjoyment. It is very doubtful indeed whether it would be possible in the intense heat of the Punjab to efficiently to carry out the strenuous work, which the Secretariat has to do, without going to the hills for a short time. Many of the members themselves feel the inconvenience caused by the intense heat. If one wishes that the administration of the Province should be efficiently carried out, it is not possible to say that His Excellency the Governor with his private staff may go, but his Council, with whom he daily holds conferences, must not go. It is not possible to say that the Councillors may go, but the Secretaries, who are their right arms and mouthpiece, should not go. And it is not possible that the Secretaries shall go, but their clerks, who copy their letters and put up correspondence, must stay behind. I trust that the Council will not accept the principle that is expressed in the amendment. Personally speaking, I have myself spent 35 years in this country in the service of the Punjab and I feel that probably it would not be possible for me to work at pressure, if I were not permitted to get out of the intense heat of the plains each year.

**Mr. Ganpat Rai.** After hearing the speech of the Hon'ble the Finance Member I do not press my motion. I would, however, add that the remarks of certain Members that I personally go to the hills and spend a long time there, are in the first place incorrect. Secondly, even if I do go, all the superior service officers get 10 to 20 days casual leave every year. In that period they can go to the hills and have rest there. With

these remarks I ask for leave to withdraw my motion.

The motion was by leave withdrawn.

The Hon'ble the President.—I will now take items (e) and (f), rents, rates and taxes. They are as follows :—

(e) that C.—Secretariat and Headquarters Establishment—Civil Secretariat.—Rents, rates and taxes of Rs. 3,200 be omitted.

(f) that C.—Secretariat and Headquarters Establishment—Director of Agriculture.—Rent, rate, taxes of Rs. 3,000 be omitted.

Mr. Ganpat Rai.—Sir, I ask for leave to withdraw the motion to move items (e) and (f) above.

The motion was by leave withdrawn.

The Hon'ble the President.—I will now take items (g) and (h), Lahore allowance. They are as follows :—

(g) C.—Secretariat and Headquarters Establishment—Financial Commissioners—Lahore allowance of Rs. 1,000 be omitted.

(h) C.—Secretariat and Headquarters Establishment—Commissioners.—Lahore allowance of Rs. 1,000 be omitted.

Mr. Ganpat Rai.—I ask for leave to withdraw my motion to move items (g) and (h).

The motion was by leave withdrawn.

The Hon'ble the President.—I will now take item (i) Contract Contingencies for Commissioners, Rs. 27,350. Will Mr. Ganpat Rai move that ?

Mr. Ganpat Rai.—Yes Sir, I move that under head C—Secretariat and Headquarters Establishment—Commissioners—Contract Contingencies of Rs. 27,350 be omitted. This time, Sir, with

your permission I should like to speak in Urdu.

Some of my friends would be thinking as to why I put in so many amendments and then at once withdraw them. I bring in amendments with two objects in view :—

(i) When a matter is discussed in the Council, the Government takes more care about it in the next year's budget, and

(ii) There are some items which we cannot fully understand. As for example we do not know what is the difference between "Contract Contingencies" and "Contingencies." When we put in an amendment, Government has to explain the nature of expenditure, otherwise we are unable to understand the technical terms of the Finance Department.

Unless we are fully satisfied with each and every item of the budget, we have a right to ask Government to explain those items to us.

The Hon'ble Sir John Maynard.—I understand the Hon'ble Member wants to know the difference between the Contract Contingencies and audited Contingencies. I myself do not know the technical distinction between the two terms. But the Financial Secretary has just gone out for the purpose of finding out the particular distinction. (Laughter). But this much I can say to the Council that the details are rents, rates and taxes, subscriptions to periodicals and newspapers, etc., cost of books, purchase and repair of typewriters, liveries to peons, section writing, telephone charges, pay of menials, purchases of tents and miscellaneous. There are no hot and cold weather charges in that at all. I am not in a position at this moment to say what is the actual distinction between these two items. The two cover entirely

different ranges of subjects. I am not sure whether this is a sufficient explanation.

**Mr. Ganpat Rai.**—Mr. President, just one word. The Hon'ble the Finance Member has failed, according to his own admission, to satisfy the Council on the point. I should like some other Member of Government to explain these Contract Contingencies.

**Mr. B. T. Gibson.**—I think, Sir, I can satisfy the Hon'ble Members. The difference between the Contract Contingencies and the audited Contingencies is this that in the case of Contract Contingencies we take the average of three years and strike the average, and we tell the Head of an Office that he can spend up to that. He can spend that item without any reference to the Accountant-General. For the audited Contingencies every item has to come up to the Accountant-General for audit. This is the difference between the two items.

**D. B. Raja Narendra Nath** spoke in Urdu and said that as far as he remembered these Contingencies included the coal and punkha coolie charges.

**Mr. C. M. King.**—Sir, perhaps I may be able to say something which will explain this difficulty. The audit Contingencies are unusual and important charges and it is desirable that the Accountant-General should have the power of vetoing, and therefore they are submitted to him so as to prevent irregular expenditure. The Contract Contingencies are items which are a very common expenditure, as Mr. Gibson has said, the simplest way to save trouble is to take average of a number of years, and then to allow the Head of an Office to spend up to that amount without the necessity of having the bills audited by the Accountant-General. In the case of Contract Contingencies we have common petty items such as coal, wood, postage stamps and so on, and it is undesirable to prepare bills for this amount. We do not prepare detailed bills for the Contract Contingencies.

The other are more unusual charges, and as the Accountant-General is very zealous of any unusual expenditure, these more important items are submitted to him for audit. That is roughly what I understand.

**Sardar Bahadur Sardar Mehtab Singh.**—Sir, may I ask the Hon'ble the Finance Member to assure us if this item contains the postage stamp charges. If it does contain them, then the item stands explained. But in case it does not, then we want to know something more about the item in order to be able to vote upon it.

**The Hon'ble Sir John Maynard.**—The assurance which is required is whether postage stamps are included in this item. The postage stamps, the hot and cold weather charges, the tour charges, the carriage of stationery and miscellaneous are all included in Contract Contingencies. This is for the five Commissioners.

**Mr. Ganpat Rai.**—The motion may now be put to the house.

**The Hon'ble the President.**—Has Government anything to say?

**Hon'ble Sir John Maynard.**—There is just one word that I may say in this connection. This Council has shortly to elect some of its Members to act on a committee which is to be called the Committee on Public Accounts, and one of the functions of that Committee will be to examine all expenditure and I hope that it will be in a position absolutely to satisfy the requirements of this Council.

**Mr. Ganpat Rai.**—May I enquire whether this Public Accounts Committee will scrutinize the budget which we are voting to-day.

**The Hon'ble Sir John Maynard.**—I am afraid the Public Accounts Committee is hardly to scrutinize this budget, but it will scrutinize the expenditure of the sums included in the budget which are voted by this Council.



**Mr. Ganpat Rai.**—It cannot disallow any expenditure. It can only go through them.

**The Hon'ble the President.**—I will explain what the Public Accounts Committee is. It is constituted under rule 33, which runs as follows :—

(1) As soon as may be after the commencement of each financial year, a Committee on Public Accounts shall be constituted for the purpose of dealing with the audit and appropriation accounts of the Province and such other matters as the Finance Department may refer to the Committee.

(2) The Committee on Public Accounts shall consist of such number of Members as the Governor may direct, of whom not less than two-thirds shall be elected by the non-official Members of the Council according to the principle of proportionate representation by means of the single transferable vote. The remaining Members shall be nominated by the Governor.

(3) The Finance Member shall be Chairman of the Committee, and, in the case of an equality of votes on any matter, shall have a second or casting vote.

Rule 34 says :—

(1) In scrutinizing the audit and appropriation accounts of the Province, it shall be the duty of the Committee to satisfy itself that the money voted by the Council has been spent within the scope of the demand granted by the Council.

(2) It shall be the duty of the Committee to bring to the notice of the Council—

(a) every re-appropriation from one grant to another grant ;

(ii) every re-appropriation within a grant which is not made in accordance with the rules regulating the functions of the Finance Department, or which has the effect of increasing the expenditure on an item the provision for which has been specifically reduced by a vote of the Council; and

(iii) all expenditure which the Finance Department has requested should be brought to the notice of the Council.

In accordance with these provisions I approached His Excellency the Governor a few days ago begging him to be good enough to state the number of Members who shall form this Committee, and the number, not less than two-thirds, which shall be elected by the non-official Members of this Council. As soon as I receive His Excellency's reply, I intend to put the matter before this Council, with a view to the election of the required number of persons to serve on this committee before this session is ended.

**Mr. Ganpat Rai.**—If I understand this rule aright, all the matters which the Public Accounts Committee will deal with will be those which will be referred to it by the Finance Department. And this means that we shall be at the whims and mercy of the Finance Department.

**The Hon'ble the President.**—Two-thirds of this Committee will be elected by the non-official Members of the Council so as to be quite sure that, whatever grants the Council makes, are spent in accordance with the orders of the Council. That is the sort of Committee which is meant.

**Mr. Ganpat Rai.**—I hope the Government will not stick to the old system, but try to introduce the new one, and with this remark I ask for leave to withdraw my motion.

The motion was by leave withdrawn.

**The Hon'ble the President.**—All the notices with regard to this grant having been disposed of, I will not put to the Council the original motion of the Hon'ble the Finance Member. This is that a sum of Rs. 13,28,000 be voted under the head 22—General Administration (Reserved) Grant, Rs. 12,59,000, and under the head 37—Miscellaneous Departments, Rs. 69,000.

The motion was carried.

### GENERAL ADMINISTRATION (TRANSFERRED) GRANT.

The Hon'ble the President.—I will now call upon the Hon'ble Member for Education to move his motion under the head 22—General Administration (Transferred) grant.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—Sir, I beg to move that a demand of Rs. 1,28,000 be granted for the Transferred Departments of General Administration under the following detailed heads:—

(a) Salaries of Indian Ministers,  
Rs. 1,20,000 ;

(b) Salaries of Council Secretaries,  
Rs. 8,000 ;

making a total of Rs. 1,28,000.

Just now, Sir, this Council has granted Rs. 13,28,000 under the head General Administration (Reserved). The grant for which I am now making this motion consists of only a small fraction of that big grant. With reference to the smaller item, that is to say of Rs. 8,000 it has already been noticed, I have no doubt, by the Members of this Council that a resolution in this Council was passed for the salaries of the Council Secretaries. So I may take it that that item has been fully considered and the Council has no desire to go into this matter any further. With regard to the other item of Rs. 1,20,000 I do not think that there is anything I need say at this stage. I will wait for the remarks of the Hon'ble Member who brings forward an amendment on this subject. With these remarks I ask that this Council sanction this small grant.

### SALARY OF THE MINISTERS.

Bai Bahadur Lala Sewak Ram spoke in Urdu and said, the motion which I have to move is as follows:—

That the salary of the Ministers be reduced by Rs. 48,000. This means that their salary amounting to Rs.

1,20,000 be reduced by Rs. 48,000 and they be paid net Rs. 72,000, i.e., both of them should be given Rs. 3,000 instead of Rs. 10,000 a month. You know, Sir, that we do not possess the power of appointing ministers by ourselves, but we have the power of fixing their salary. This being so, Rs. 3,000 a month, I think, is quite sufficient, for a Minister's salary. All of us know that the Hon'ble the Finance Member has shown a deficit of 44½ lakhs in the budget. We have recommended payment of some money to poor Lambardars and Zaildars. But when such is the financial condition of our Province, there is no reason why we should not save even pices from our expenditure and thus make up the deficit in the budget for the next year.

The Hon'ble the Finance Member has held us trustees of the income of the Province of the Punjab. So the income is in our trust and if we spend it indifferently or if we, the Members of this Council, the representatives of different parts of the Province, were to divide it among ourselves—one getting (a part of) it as a Minister, another as a Deputy President and a third as a Secretary, what will our respective constituents say of us. The Ministers were elected first as Members of this Council and appointed as Ministers afterwards. In view of their position as elected Members of the Council, the Ministers also are trustees of the income of the Punjab in accordance with the definition given by the Hon'ble the Finance Member, and as trustees, they should not receive any disproportionate amount as their salary. And if they do not receive a large salary, it will be proved that they have become Ministers not for the sake of salary or authority but that they have taken this burden on their shoulders for the sake of serving their country as was done by the great Mr. Gokhale who worked in the Poona College for his whole life on Rs. 75 a month and (on retirement) lived on a pension of Rs. 30 a month. Would they like to be paid more liberally from their trust fund? It will be the right

thing for them to accept Rs. 3,000 of their own accord, as has been done in Nagpur by the Ministers of the Central Provinces. They raised no objection against proposal regarding Rs. 3,000 but accepted it of their own free will. They have shown a great courage and have thus added to their *izzat* and have elevated themselves in our eyes with the result that we sitting at so large a distance from them are eulogising their conduct in this matter. In Bengal, Sir Sundera Nath Bannerji has promised to devote Rs. 1,000 per mensem for charitable purposes. This, however, is an ordinary thing seeing that he had to give something or other by way of charity. He has not followed the example of the Nagpur Ministers. We hope, our Ministers also will rise up to the occasion, display courage and follow the example of the Nagpur Ministers.

It is stated that as the salary of an executive Councillor is Rs. 5,000, so that the latter's status is not lowered in any way. In England Ministers receive varying salaries. They do not think of their status. Sir, if they accept Rs. 3,000, of their own accord, their status will be raised and not lowered on account of their love for the country and they will be respected all the more. If only emoluments are to be taken into consideration, it is not becoming that they should receive these salaries. They are representatives of certain constituencies. Sir, the Reformed Council has enlarged only the numbers of its Members but has quite limited our powers. The expenditure of the Province has largely increased. Rs. 1,20,000 are required for executive Councillors and the same amount is being asked for Ministers. Moreover, the staff of Secretaries has been increased under the present arrangement. What has been the saving to us? Under these circumstances we should show savings as far as possible. The Prime Minister in England does not receive any salary for his post. Not to speak of their countries, the Secretary of State for India, on whose shoulders lie the burden of responsibility or the whole of India, receives Rs. 6,250

a month. And if the Ministers of an ordinary Province like the Punjab receive half the Secretary of State's pay, that should be considered as sufficient. In England Ministers for Education and Agriculture who hold similar posts to the Ministers in our Province, receive Rs. 30,000 a year each. Other Cabinet ministers also are in receipt of a similar pay. There are several other Ministers who receive even less than Rs. 3,000 a month, i.e., Rs. 22,500 a year. I could not yet hold of the book which is said to contain accounts showing that a Minister's salary in America is about Rs. 3,500 a month, while in France a Minister's salary is less than this. It will not be unbecoming for our Ministers if their salary is slightly reduced and both of them get as much pay as the Secretary of State for India is getting. The Ministers should win our applause by accepting this pay. They should also support our popular measures and should view our doings with sympathy. It did not look nice that one of the Ministers did not vote for the payment of the Amritsar indemnity. We did not like their voting against the proposal regarding the increase of salaries for Lambardars, Sufaidposhes and Zaildars. It did not look satisfactory that they made no sympathetic speech in our support when the matter of revenue settlement was brought before the Council. They did not vote with us when this Council refused to accept certain items in connection with the settlement. We do not like in the least that in the event of a proposal being dropped on account of majority of votes they (the Ministers) like other officers should give cheers against us and should adopt the same attitude when we make any mistake and fail to understand a thing fully. Moreover, they have so far performed no conspicuous work. I hope that almost all of my able colleagues and the Ministers themselves will think that a salary of Rs. 3,000 a month was below their dignity. On the other hand if they accept this reduced salary, as suggested by me, their *izzat* will be doubled in the eyes of the general public and there will be no loss

of personal status to them. I hope Rs. 3,000 are a sufficient salary for a Minister.

**Mian Ahmad Yar Khan, Daultana.**—Sir, ill-advised is that economy that sacrifices efficiency for money or values efficiency unjustly. Economy like other virtues has a limit and so has the spirit of sacrifice. We should neither press one too hard nor demand the other too much. If we did the first, we would banish efficient men out of our offices, and if we demanded the second, the efficient men will desert us.

It is our rare fortune that on the dawn of the new era, I mean the introduction of the present reformed system of Government, we had amongst the sons of this soil two men, who were eminently fit to fill the ministerial office. His Excellency the Governor could not make a better choice and we congratulate our Governor, the Daniel of the present time, for his best selection. (Hear, hear.) And now you want to turn his pre-ordination and his first decree into the law of children. Both of these had unique qualifications for their respective portfolios. Each had won the confidence of this Province, nay of this country, by his life-long labours in his line of activities. I can safely challenge anybody to name a person more efficient in educational matters than the Hon'ble Mian Fazl-i-Husain and more capable in industrial affairs than the Hon'ble Lala Harkishan Lal. What is even more fortunate than everything else was this that these two Hon'ble gentlemen accepted the responsibilities of the ministerial offices at the cost of their decidedly more lucrative calling for the benefit of their country and Empire. They have made a great sacrifice, should we demand more from them. We should not talk of sacrifice or discuss the matters of State in the spirit of a recluse.

Our Ministers are above all men and men of this world. By accepting to serve their country they have not renounced their rights to live as they lived before,

as living men in this position of life should live. They have other duties to do, they have their children to look after, they have their families to support and they have hundred and one other demands on their purse. Their posts do not carry any pension. Should we make them forget their other duties no less sacred and momentous than the duty assigned to them by the Government and the country, and leave them after the tenure of their offices paupers to build their fortunes anew. Surely we should be more reasonable than this. The salaries that have been fixed are already too unattractive, too unbecoming and too inadequate for people of their mettle. Should we curtail even these, and either make them repent their choice or force them to bid us farewell. There is something more. Men are known by their prices, as everything else. Should we price them so low and discredit them in the eyes of the world. This will be too great a sacrifice and I am afraid they will not brook it.

Therefore, through you Sir, I appeal to the sense of justice and true economy of this Council and hope they will not try to practise economy at the cost of those who have taken no undue advantage of our trust or the extravagant spirit of this Council visible in many items of expenditure hitherto discussed in our resolutions. (Loud applause.)

**The Hon'ble the President.**—I wish to know the Members who intend to speak for the motion and also those who intend to speak against it, so that I may be able to give opportunity for each point of view to be presented. I therefore ask the members, who intend to speak for the motion, to stand up.

(No member rose.)

**Pir Sayad Ghulam Muhammad Shah,** spoke in Urdu and said :—

The Hon'ble the President, although I possess imperfect knowledge of the English language, yet in order to avoid wasting time I would trouble you for a few minutes with my remarks in Urdu.

The amendment which the Hon'ble Mover has presented regarding the reduction of Ministers' salary by Rs. 48,000 is not based on any reasonable grounds, but appears to be based on consideration of economy. Or it may be an outcome of the idea that by standing in the way of the Indian progress, the country should be shown as unworthy of reforms which the Government is anxious to make a success. The suitable selection of present Ministers speaks for Government's honest motives. As regards their ability and status, the very word "Minister" denotes that the incumbent has access (*lit.* nearness) to the King and holds the reins of the administration. Does it look well that the salary of a Minister be reduced, who is to be a guardian of the administration and who is to get no pension on the expiry of his term of office. With the permission of the Hon'ble the President, I will advise the Members of this Council, although I am nobody to offer an advice as Hafiz said :—

'Reformation' is out of the question in the case of a wretch like myself.

'There is a vast difference between the one way and the other.

'There is no comparison between a drunkard and a pious man.

'There is an immense difference between expostulations and musical songs.'

That is the salary of the Ministers cannot be raised, it should not be reduced. It would be better, therefore, for the Mover to withdraw his amendment in a suitable manner.

Mr. Nawab Din, Murad.—I can assure the House that it is not an easy task which has been entrusted to the care of the two Ministers of this Council. There are many transferred subjects such as Education, Agriculture, Commerce and many other such subjects, which require careful handling by expert hands. Fortunately we have got two of the ablest men in the Province to fill up these two posts. As regards the Hon'ble Lala Harkishan Lal, I believe I am right in saying—and

the Council will be agreed with me—that in spite of all the questions—undesirable questions—asked in the House of Commons, he commands our confidence, and we have the greatest possible respect for his commercial instinct and careful handling of difficult problems of the country.

As regards the Hon'ble Mian Fazl-i-Husain, I think it is a well-known fact that he is an expert educationist, and regarding his reputation in his professional career, it is admitted throughout the Province. Now, Sir, the Government has assigned Rs. 5,000 to the respective merits of these two gentlemen. Is it becoming this Council to reduce this sum to Rs. 2,000? (Many voices No. no); and thus undervalue their merits. I may add, Sir, that they were in their respective vocations of life making lot of money. In accepting these posts, they have made a great sacrifice, and instead of appreciating this, should we depreciate. I believe that I am quite right in saying that such high posts should be made as much attractive as possible by raising their salaries and inviting the best men to fill them up. I am afraid it is not within our Province to raise the salaries, but at any rate we should not decrease them.

Malik Firoz Khan.—I move the closure, Sir.

The Hon'ble the President.—If there is any Member who wishes to speak in favour of the motion, I shall not put the question to the Council. (No member rose to support the motion.)

The Hon'ble Sir John Maynard.—I shall be very brief, because I think the sense of the Council is very clear in opposing the motion. I should like to say just one or two words. I take it that the most searching test of fitness for public business is the capacity of dealing wisely and well with public servants. It is wise to give them their due dignity and their due emoluments. The first course the choosing of Ministers wisely and well has been performed for us by His Excellency the Governor by appointing

the present Ministers, but it remains for this Council to exercise wisely and well the other function of giving to them their due dignities and their due emoluments. Let no one suppose that, if once the salary of the Ministers is fixed at so low a figure as Rs. 3,000 it will in practice be possible to raise it at a later stage. If the salary be now fixed at such a low figure, it is certain that in future no Minister will be able to accept a higher salary than that which is to-day fixed.

There is, however, one point, on which I have heard no one lay stress, but it is a point of the greatest significance for the success of the new reforms. That point is this that there should be an absolute equality between the Hon'ble Members of Council and Ministers. The position and the salaries of the Members of Council have been fixed by authorities outside this Council, and it is necessary for the due respect to their position under the Reforms Scheme that their dignity should be in all respects equal to that of the members.

The next point is--and stress has already been laid on it by more than one speaker--that if you require a useful and efficient servant, you must pay his due for his services. I believe that there is no doubt that the Ministers who accepted their position under the present administration are making sacrifices in accepting only that figure which has been fixed for them. It has been said by Rai Bahadur Sewak Ram that it may be possible to find men who would accept lower salaries. No doubt there are individuals who are prepared to work for much less than what they are worth, but why should Government work their arrangements on the assumption that men would be forthcoming, who will be prepared to make such sacrifices. I am afraid it would be difficult for Rai Bahadur Lala Sewak Ram, who is, I know, a very successful agriculturist, when he has produced a certain amount of wheat and a certain amount of cotton, to say to himself, "The market rate for the cotton is Rs. 20, but I feel so

much for the poor people who are going to buy it that I propose to charge only Rs. 15."

It has been suggested that this Province cannot afford the amount required, but it is always possible to afford that which is necessary in order that the service of the country may proceed in a satisfactory manner.

**Rai Bahadur Lala Sewak Ram.**--After the learned speech of the Hon'ble Finance Member, I beg to withdraw my motion.

**The Hon'ble the President.**--It is open to the Council to give permission or not.

Permission was refused.

**The Hon'ble the President.**--The motion before the Council is that the salary of Ministers be reduced by Rs. 48,000 per annum.

I direct that a division be taken on this important point. I name Rai Bahadur Lala Sewak Ram and Khan Bahadur Diwan Abdul Hamid as tellers.

A division was taken.

For the motion ... 0

Against the motion ... 62

Majority against ... 62

The motion was declared lost.

**The Hon'ble the President.**--The motion now before the Council is that Rs. 1,25,000 be granted under the head 22--General Administration (Transferred Subjects).

The motion was carried.

**The Hon'ble the President.**--The Council will now adjourn until Tuesday, the 8th March, at 10-30 A.M.



## PUNJAB LEGISLATIVE COUNCIL.

Monday, 8th March 1921.

THE Council met in the Council Chamber at half past ten of the clock. The Hon'ble the PRESIDENT in the chair.

### QUESTIONS AND ANSWERS.

#### APPOINTMENT OF PUBLIC PROSECUTORS.

181. **Sardar Dasaundha Singh.**—(a) Are Government satisfied that in the appointment of Public Prosecutors ability, experience and the income of the candidates are taken into sufficient consideration?

(b) Will the Government be pleased to issue instructions that in making recommendations for appointments District Magistrates should attach special weight to these considerations?

**The Hon'ble Sir John Maynard.**—(a) The questioner is in error in believing that the ability, experience and professional success of the candidates are not the prime factors in determining the appointment of Public Prosecutors, and Government is not aware of the grounds on which the contrary suggestion is based.

(b) The principles on which recommendations are based and appointments are made are already those which the questioner desires to see affirmed and Government will continue to observe those principles.

#### TREATMENT OF VILLAGE OFFICERS.

182. **Sardar Dasaundha Singh.**—Are Government satisfied that the treatment afforded by subordinate Police and Revenue Officers, when they go out in the district, to village officers (Lambardars, Zaildars and Safedposhes) is such as should be afforded to self-respecting people?

**The Hon'ble Sir John Maynard.**—Government is not aware that subordinate Police and Revenue officials generally subject village officials to humiliating treatment. There may be instances of such treatment which, when brought to the notice of departmental superiors, would be suitably dealt with. Under the Police Rules every Police officer is required to act with courtesy on all occasions. A copy of the question and answer will be circulated to the Heads of the two Departments for such action as they may deem necessary.

183. **Sardar Dasaundha Singh.**—In order that the recent *communiqué* of the Government, which very justly exempts Lambardars, Zaildars and Safedposhes from the (expensive and troublesome) responsibility of making arrangements for the camps of touring officers, be appreciated to the fullest extent, will the Government be pleased to issue instructions to the Revenue and Police Officers that they should treat the village dignitaries with due consideration?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The duties of Zaildars, Safedposhes and Lambardars in connection with providing on payment supplies and means of transport for officers of Government on duty are prescribed in the Land Revenue Rules. They have not been exempted from these duties by the orders of which information was given in the recent *communiqué*, and if necessary they may be called upon to discharge them. It is hoped, however, that the

orders in question will generally obviate the necessity of calling on them to do so.

Paragraph 3 of Punjab Government Consolidated Circular No. 1 impresses on all Government officers the duty of treating all Indians, and specially those of distinction and respectability, with proper courtesy. The instructions have been repeated in different forms from time to time and all officers are aware of them. Further action does not appear to be necessary.

### SUPERIOR I. C. S. APPOINTMENTS.

184. **Sardar Kartar Singh.**—What is the total number of superior I. C. S. appointments in the Punjab from Governorship down to Deputy Commissionerships and High Court Judgeships to District Judgeships, *i.e.*, both in the Executive and Judicial sides, including appointments to which Punjab I. C. S. officers have regularly been appointed as seconded either as Heads of Offices and Departments or political agencies, etc.? The information may please be supplied in a tabular statement showing superior I. C. S. appointments under different designations?

**Mr. C. M. King.**—The total number is 78. A copy of Government of India's resolution No. 2559, dated the 1st December 1920, is laid on the table. The details asked for by the member will be found in Appendix I to the resolution.

185. **Sardar Kartar Singh.**—Will the Government please state why 88 per cent. of superior I. C. S. appointments have not yet been given to Indians under the Reforms\* Scheme which has been inaugurated in other respects? What steps does the Government propose to take to give immediate effect to this important part of the Reforms?

**Mr. C. M. King.**—The member appears to be under a misapprehension as to the intention of the Reform Scheme. In accordance with the recommendation made in paragraph 817 of the Report on Indian Constitutional Reforms the 'proportion of 88 per cent. rising by  $1\frac{1}{2}$  per cent. annually for 10 years to a maximum of 48 per cent. will be taken as an all-round figure to cover total Indian recruitment from all sources including promotion from the Provincial Service and appointment from the Bar.' It will be seen that the scheme covers future recruitment to the Indian Civil Service, not existing appointments from which the incumbents cannot of course be ousted.

186. **Sardar Kartar Singh.**—How is the Government going to fill up the number of such posts allotted to competitive examination to be held in India, as the successful candidates thereof will take some years, perhaps not less than ten, before they get to the superior appointments?

**Mr. C. M. King.**—The answer given to the previous question will, I hope, help to remove the member's misconception as to the proportion of superior posts in the Indian Civil Service to be held under Reforms Scheme by Indians. It has never of course been the intention to interfere with the rights of existing incumbents of superior posts.

### JUDICIAL APPOINTMENTS.

187. **Sardar Kartar Singh.**—How many superior judicial appointments will be thrown open to lawyers in the Punjab under the Reforms Scheme and when? Were these appointments not due on 1st January 1921 as a part of the 88 per cent. of superior Indian Civil Service appointments referred to above, and if so, what is the cause of delay?

**Mr. C. M. King.**—Two will be thrown open shortly. No such date as the

member gives was fixed for these appointments.

### SUPERIOR I. C. S. APPOINTMENTS.

**188. Sardar Kartar Singh.**—Since the publication of the Reforms Scheme in its final shape, did Government keep any vacancies of superior I. C. S. appointments unfilled in order to make them available to Indians to bring up their proportion to 88 per cent., with the inauguration of the Reforms Scheme in January 1921? If not, why not?

**Mr. C. M. King.**—I would refer the member to my answer to question 185. No such vacancies have been kept unfilled.

### SIKHS AND LISTED APPOINTMENTS.

**189. Sardar Kartar Singh.**—Have the Sikhs held any listed appointments in the Punjab since the end of their own régime and its succession by the British Rule. If so, will the Government state the names of the officers and period of their tenure?

**Mr. C. M. King.**—Before the creation of a separate Provincial Civil Service two Sikhs were appointed as Statutory Civilians in the Punjab, *viz.*, Sardar Gurdial Singh Man in 1880 and Sardar Gurbachan Singh in 1882. The latter left the service in 1884. After the establishment of the Provincial Civil Service Sardar Gurdial Singh held a listed post from which he was suspended in 1898. Two other Sikh gentlemen, Sardar Arjan Singh who joined the Provincial Civil Service in 1892 and died in 1898 and Rai Bahadur Bhai Hotu Singh who joined the service in 1887 and retired last year, held superior posts on the Executive side.

**190. Sardar Kartar Singh.**—Is there any Sikh now holding such appointment in this Province? If not, will the Government find out immedi-

ately if suitable men are available from amongst the lawyers and the Provincial Civil Service men who can be appointed to these posts in a fair proportion?

**Mr. C. M. King.**—No. Appointments to listed posts are made by selection from the most suitable officers. If there are suitable Sikh officers available, their names will of course be considered with others on the next occasion of a vacancy.

**191. Sardar Kartar Singh.**—Will the Government be pleased to frame some such definite policy for its future guidance whereby the deplorable disparity of the Sikhs in such appointments in the past will not continue nor recur in future, as has of late been followed in the case of nomination for Provincial Civil Service from Munsif's grade by the High Court?

Why should it not be acted on for nomination to listed appointments from Provincial Civil Service men?

**Mr. C. M. King.**—While it is anxious to see all communities duly represented in the service, Government's policy is to obtain the most efficient officers available for posts which require exceptional ability. As the member is aware, the Sikh community has in the past been backward in education. Government is glad to note that leeway is now being made up, and has every confidence that in the near future Sikhs will show themselves fitted for all kinds of posts.

### THIRD CLASS PASSENGERS.

**192. Sardar Kartar Singh.**—Is it a fact that iron goods wagons are employed for transport of third class passengers on Ludhiana-Ferozepore, MacLeodganj, Jullundur-Ferozepore, Amritsar-Kasur and other branch line sections of the North-Western Railway?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—I would refer the Hon'ble Member to the answer given to Pandit Daulat Ram, Kalia, to question No. 41 on 24th February 1921.

**193. Sardar Kartar Singh.**—Is it a fact that there are neither lights nor footboards of the usual type provided in these carriages, and that this omission has been the cause of occasional casualties?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—As regards footboards and lights on these carriages, I would refer my friend to answers given to similar questions of Pandit Daulat Ram, Kalia.

**194. Sardar Kartar Singh.**—Is it a fact that they mostly work without light and sometime small kerosine oil lamps are put in these carriages as an apology for gas and electric lamps usually provided in other passenger carriages?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—These carriages are provided with oil lamps as it is expected that the carriages will only be required for carriage of passengers temporarily, and it would therefore be waste of public money to fit them with gas or electricity.

**195. Sardar Kartar Singh.**—If so, will the Government be pleased to state what steps have so far been taken by the Railway officials to alleviate the hardship and inconvenience of these passengers and what measures do they intend to adopt in future?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—As has already been stated, this is only a temporary measure, and stock of the usual type will be provided as soon as it is possible to do so.

## WAITING-ROOMS ON SOUTHERN PUNJAB RAILWAY.

**196. Sardar Kartar Singh.**—Is it a fact that on most of the big branch line stations of the Southern Punjab Railway no waiting-rooms are provided for the use of 1st and 2nd class passengers which causes great hardship to the travelling public.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—On the MacLeodgarh-Ferozepore-Ludhiana Branch lines of the Southern Punjab Railway there are seven stations, including junction stations, which have waiting rooms for the public.

On the Ferozepore-Jullundur Branch of the Southern Punjab Railway there are three stations, including junction stations, which have waiting rooms.

**197. Sardar Kartar Singh.**—Is it a fact that there are rest-rooms on these stations for the exclusive use of Railway subordinate officials, but they cannot be used by any passenger of any class, however high his rank may be, even when they are not occupied by any officials. If so, will the Government be pleased either to provide waiting-rooms at these stations or allow the use of such rest-rooms to 1st and 2nd class passengers in future.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Rest-rooms are intended for the use of Railway officials on duty and are constantly used by them.

The Railway Administration only provides public waiting-rooms for upper class passengers when the number of such class of passengers is sufficiently great as to justify the expenditure on such provision.

## MONOPOLY OF EXPORT OF WHEAT.

**198-199. Sardar Kartar Singh.**—What profit has the Government made

by its monopoly of export of wheat from this Province since the beginning of the monopoly?

How has that profit been disposed of or is proposed to be disposed of in the interests of wheat-growing classes who have suffered from this policy by fetching reduced rates as compared with the world prices?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Any profits that have accrued from the export of wheat since restrictions have been imposed on it have gone to the Government of India. This Government has no information as to the exact amount of those profits. They have, it is understood, been divided by that Government among Provincial Governments for the purpose of agricultural expansion, and grants for a considerable amount have been made to this Province for this purpose in the last few years: the principal purposes on which they have been spent are the extension and improvement of existing farms, the establishment of district demonstration farms, and equipment for the large scheme of 'bara' land reclamation in the Lower Bari Doab Colony. These purposes should all, in time, increase the prosperity of the agricultural population.

It is intended to apply to the Government of India for a similar grant from any profits which that Government may make from the wheat export system at present in force.

**200. Sardar Kartar Singh.**—Is this monopoly still in force? If so, how long is it intended to exercise it?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—This Government has no information, the question being one for the Government of India to decide.

#### RAILWAYS AND PRICE OF WHEAT.

**201. Sardar Kartar Singh.**—Is the Government aware that whenever the

booking of goods by Railways is suspended it is attended by a reduction in the rates of wheat and gram and thereby a golden opportunity is afforded to foreign exporting firms to make their purchases for the Government at thus artificially reduced rates?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The question shows a misapprehension of the facts. The exporting firms, under the system at present in force, make no additional profit whatever, should they purchase wheat at rates lower than those ordinarily prevailing. In their wheat purchases they act merely as agents to Government, and whatever profit accrues to Government is disposed of by it in the manner already described.

**202. Sardar Kartar Singh.**—Is the Government aware that this policy spreads mistrust in the minds of the agricultural masses and affects the reputation of the Government? If so, what steps does the Government propose to take to ameliorate this position?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Government is not aware that this policy spreads mistrust in the minds of the agricultural masses. Government in this matter has to consider the interests not only of the sellers of wheat but also of the very large numbers of people who purchase it, especially the poorer classes.

#### EXCISE DUTY ON LIQUOR AND OPIUM.

**203. Sardar Kartar Singh.**—Will the Government be pleased to state the periodical rise in income of excise duty on liquor and opium during the last ten years?

**The Hon'ble Lala Harkishan Lal.**—The required information will be found.

in the reports of the Excise Department which are published annually.

**204. Sardar Kartar Singh.**—Has this increase of income raised the sale price of these two articles during this period, and if so, by how much?

**The Hon'ble Lala Harkishan Lal.**—The retail price of the country liquor has increased by nearly 50 per cent. during the last ten years and that of opium has more than doubled. During the same period the still-head duty on country liquor and the issue price of opium from Government treasuries to retail dealers have been raised, the former by nearly 100 per cent. and the latter by 60 per cent. These enhancements have been a factor in the increase in retail prices and so far it may be said that the increase in the excise income of the State has raised prices. On the other hand, a second important factor in the increase of prices has been an increased demand, which has induced increased competition for vend licenses and a consequent increase on the sum paid to Government for such licenses. The increase of this portion of the excise income has thus been caused by the rise in prices. Any satisfactory estimate of the proportion in which the total rise of price should be distributed between the two factors assigned above is not possible without an investigation of considerable complexity.

**205. Sardar Kartar Singh.**—Has the rise in the sale price in any way reduced their consumption? If not, what has been the increase?

**The Hon'ble Lala Harkishan Lal.**—It is not possible to assert definitely that the rise which has occurred in the retail prices of country liquor and opium during the last ten years has reduced consumption. The figures for annual consumption will be found in the Excise Reports which are published yearly.

**206. Sardar Kartar Singh.**—If the liquor consumption is found to be on increase every year, will the Government be pleased to consider the advisability of reducing the number of liquor shops and fixing the quantity for sale of every excise shop at the time of auctions and reduce it every year so as to wipe out the drink habit within a reasonably short time of 5 or 6 years?

**The Hon'ble Lala Harkishan Lal.**—As the hon'ble member will see on reference to the Provincial Excise Reports, which are published annually, the consumption of liquor has been increasing for several years past.

Government does not consider it practicable to eradicate the practice of liquor drinking within 5 or 6 years, but is prepared to adopt all reasonable measures within its power for moderating and restraining consumption, and more especially consumption in the form of excess. The closure of unnecessary liquor shops receives constant attention and reductions have been effected annually for some years past. In the coming year, 1921-22, 2 foreign and 26 country liquor shops will be closed, while a system of fixing the quantity of liquor issued for sale to country liquor and bazar foreign liquor shops is being experimentally introduced from April 1st next into the following nine districts:—

(1) Gurdaspur, (2) Hoshiarpur, (3) Sialkot, (4) Rohtak, (5) Ludhiana, (6) Gurgaon, (7) Karnal, (8) Ambala, and (9) Lahore.

#### OPIMUM EATING.

**207. Sardar Kartar Singh.**—Has the Government any programme in view to eradicate the habit of opium-eating and opium-smoking within a reasonably short time?

**The Hon'ble Lala Harkishan Lal.**—Government has in view no programme for eradicating the habit of opium-eating.



but it is believed that its policy of enhancing periodically the excise duty on opium and maintaining vigorous prevention of smuggling is effective in moderating consumption and in checking excess. Government fully recognises the evils of the vice of opium-smoking. Premises where the pursuit of this practice is suspected are carefully watched and successful raids on them are by no means infrequent. The matter will continue to receive the attention of Government with a view to the adoption of such further measures as may be found to be practicable.

**208. Sardar Kartar Singh.**—To achieve the above end will the Government be pleased to consider the advisability of issuing free licenses to addicted opium-eaters for the purchase of the quantity required by them for their own individual use and not to issue such licenses to others except on medical advice so as to rid the Province of the habit of opium-eating in a generation's time?

**The Hon'ble Lala Harkishan Lal.**—Government does not consider that the measures suggested in the question are either advisable or practicable.

**Sardar Kartar Singh.**—Has Government of Burma adopted this policy?

**The Hon'ble Lala Harkishan Lal.**—Will the member kindly give notice of this question?

# **SALARIES OF TEACHERS, LAWRENCE SCHOOL.**

**209. Dr. C. A. Owen.**—(a) Will the Government be pleased to say what is the scale of salaries paid to the teaching staff of the Lawrence School, Ghoragali, and how they compare with that obtaining in other European Schools of equal status?

(b) Does Government consider that the scales at present paid are adequate to secure the best available staff?

(c) Will Government be pleased to say whether any improvement in the scale of salaries is contemplated either now or in the near future.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(a) A comparative statement showing the scale of pay obtaining at the Lawrence School, Ghoragali, the Lawrence Royal Military School, Sanawar, and the Bishop Cotton School, Simla, is laid on the table. From this statement it will be seen that the salaries paid at Ghoragali compare reasonably with those obtaining in the two other institutions.

(b) & (c). The scale of salaries was only revised last year and it is too early as yet to give a definite opinion on this point.

Staff of the Lawrence School, Ghora gali.		Staff of the Lawrence Royal Military School, Sasnagar.		Staff of Bishop Cotton School, Simla.	
	Rs.		Rs.		Rs.
1. Principal	800 + 100	Head Master	400 with quarters	Headmaster	700
2. Headmaster	450-15-800	1st Assistant Master	380 ditto	1st Assistant Master	320
3. 1st Assistant Master	350-10-450	2nd Assistant Master	280 ditto	2nd Assistant Master	320
4. 2nd Assistant Master	250-10-350	3rd Assistant Master	260 ditto	3rd Assistant Master	320
5. 3rd Assistant Master	250-10-350	4th Assistant Master	200 ditto	4th Assistant Master	270
6. 4th Assistant Master	200-10-250	7th Master	150 ditto	5th Assistant Master	300
7. 5th Assistant Master	200-10-250	8th Master	150 ditto	6th Assistant Master	180
8. 6th Assistant Master	200-10-250	Stenography Teacher	200 ditto	7th Assistant Master	105
9. 7th Assistant Master	200-10-250	Munshi	75 ditto	8th Assistant Master	100
		FEMALE DEPARTMENT.		Munshi	75
10. Headmistress	300-10-360	Headmistress	330 with quarters		
11. 1st Assistant Mistress	300-5-235	1st Assistant Mistress	220 ditto		
12. 2nd Assistant Mistress	125-5-150	2nd Assistant Mistress	180 ditto		
13. 3rd Assistant Mistress	125-5-150	3rd Assistant Mistress	175 ditto		
14. 4th Assistant Mistress	125-5-150	4th Assistant Mistress	165 ditto		
15. 5th Assistant Mistress	125-5-150	5th Assistant Mistress	150 ditto		
16. 6th Assistant Mistress	125-5-150	6th Assistant Mistress	130 ditto		
17. D. E. Mistress	125-5-150	7th Assistant Mistress	100 ditto		
18. Head Mistresses, Junior School.	175-10-225	8th Assistant Mistress	100 ditto		
19. Kinder-Garten Mistress	125-5-150	9th Assistant Mistress	90 ditto		
20. Music Mistress	125-5-150				

## MEDICAL CERTIFICATES.

210. **Dr. C. A. Owen.**—Has a letter, with reference to countersignatures of medical certificates addressed to the Medical Profession, published by Dr. Mirza Yacoob Beg of Lahore in the *Civil and Military Gazette* and *Bande Matram* and other papers in December last, come to the notice of Government?

(b) Will the Government explain what new facts were created to justify the withdrawal of the privilege granted to Registered Medical Practitioners of issuing certificates without countersignature of the officer in chief medical charge of a district?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Government is aware of the feeling to which allusion is made in part (a) of the question.

Some cases come to light in which improper certificates had been granted, and on the basis of representations made to it Government found it necessary to revert to the rule which made it discretionary with the Head of the Office concerned to dispense with or to insist on countersignature.

## ALLOTMENT OF DAYS FOR NON-OFFICIAL BUSINESS.

**The Hon'ble the President.**—I have represented to His Excellency the Governor that the five days allotted hitherto for non-official business are insufficient. His Excellency the Governor is now pleased to allot Saturday, the 19th march 1921, for non-official business. I shall hold a ballot for resolutions at 11 A.M. to-morrow morning in the Secretary's room. Those members, who have resolutions still pending, are at liberty to attend, if they so desire, and a notice to this effect will be circulated shortly.

## COMMITTEE ON THE STANDING ORDERS.

**The Hon'ble the President.**—"I have to inform the Council that the following candidates have been nominated for the seven vacant places on the Committee on the Standing Orders:—

1. The Hon'ble Khan Bahadur Mian Fazl-i-Husain,
2. Mr. E. Joseph.
3. Mr. C. H. Townsend.
4. Khan Bahadur Diwan Abdul Hamid.
5. Pandit Daulat Ram, Kalia.
6. Chaudhri Daya Ram.
7. Mr. Ganpat Rai.
8. Sardar Kartar Singh.
9. Khan Bahadur Mir Muhammad Khan,
10. Sayad Muhammad Hussain.
11. Mian Muhammad Shah Nawaz.
12. Maulvi Muharram Ali Chishti.
13. Diwan Bahadur Raja Narendra Nath.
14. Mr. Nawab Din, Murad.
15. Sardar Sangat Singh.

I propose to hold an election on Thursday, 10th March, at 11 A.M. There are no questions for the 10th, so the Council will meet at 11 A.M. the day after to-morrow. The election will be made by the single transferable vote system. Under this system members will be at liberty to arrange the 15 candidates in their order of preference. So if they will think out the order of preference which they will give, it will facilitate matters for the day after to-morrow. Members will be asked to say who is their first, who their second, who their third choice, and so on. Members can give 1, 2, 3, 4, 5, or up to 15 preferences as they like."

## GOVERNMENT'S DEMANDS FOR GRANTS.

### ADMINISTRATION OF JUSTICE.

The Hon'ble the President.—The Council will now proceed to the discussion of the Government demand for grants. The first is the Administration of Justice grant.

Sheikh Asghar Ali.—Sir, I beg to move that a grant of Rs. 56,98,000 be voted on account of major head '24—Administration of Justice' as shown in the following statement:—

Minor head,	Amount.
	Rs.
High Court	8,09,000
Administrator-General and Official Trustees	5,000
Law Officers	4,08,000
Civil and Sessions Courts	21,12,000
Courts of Small Causes	44,000
Criminal Courts	27,29,000
Refunds	91,000
Total	56,98,000

The first important item under this head is expenditure under the minor head "High Court." There has been an increase of about half a lakh over the Revised Estimate. This is due to the appointment of an Assistant Deputy Registrar, and to the much needed revision of the pay of the establishment. I notice that objection has been taken to the pay of one Temporary Judge for one year, and to the pay of the Assistant Deputy Registrar. As regards the first, I may, in order to save the time of the Council, at once point out that the pay of the Judge is not included in the demand which I am asking the Council to grant. As the objecting member will

see, the item of Rs. 4,26,000 (salaries of the Judges of the High Court) which he would reduce by Rs. 48,000 is, under section 72-D (3) (v) of the Government of India Act, not subject to the vote of the Council. The appointment of the Assistant Deputy Registrar, however, was strongly recommended by the Chief Justice in order to relieve the over-worked Deputy Registrar and the Assistant Registrar. The necessity of the appointment was justified to the full satisfaction of the Government, and it would be bad economy to sacrifice efficiency for a small saving.

The slight increase of Rs. 1,000 over the Revised Estimate under minor head Administrator-General and Official Trustee calls for no remarks.

The increase of Rs. 54,000 over the Revised Estimate under the head 'Law Officers' is mainly due to the sanctioned scheme for giving Public Prosecutors a graded salary instead of fees as hitherto. I see that this item has been objected to. It has to be pointed out that it is essential to the success of the Criminal Administration that good lawyers should be obtained as Public Prosecutors and they must be adequately paid.

There is an increase of nearly two lakhs under Civil and Sessions Courts. This is due to revision of the pay of the establishment and to provision having been made for revision of Munsifs' salaries. Otherwise the estimate has been framed in accordance with existing sanctions.

Under 'Court of Small Causes' there is a reduction of Rs. 1,000 as compared with the Revised Estimate, and no remarks are needed.

Under 'Criminal Courts' and 'Refunds' the increase of Rs. 28,000 is owing to revision of establishment.

The demand which I make is, I think, a moderate one. The primary duty of the Government is the protection of life and property and the Administration of Justice, which is one of the departments charged with that duty, must be kept in a proper state of efficiency. It is not a department to which the argument of financial stringency should ever apply.

**The Hon'ble the President.**—I understand under head 24—Administration of Justice—High Court Judges—the sum of Rs. 48,000 is not demanded from this Council.

**Sheikh Asghar Ali.**—No, Sir. It is not included in my demand.

**The Hon'ble the President.**—Then the motion of Mr. Ganpat Rai that the sum of Rs. 48,000 on account of the pay of one Temporary Judge for one year be reduced is out of order. The next item is under the same head and relates to the pay provided for the Assistant to the Deputy Registrar.

**Mr. Ganpat Rai.**—Sir, they do not show what is the amount. It is not given in the Budget anywhere.

**Sheikh Asghar Ali.**—In the Budget the pay of the Assistant Deputy Registrar is not separately given, but the pay that was sanctioned on the proposal of the High Court was a graded pay of Rs. 925—15—400. That is the pay of the Assistant Deputy Registrar. An average must be struck; but it comes to Rs. 8,900 for the first year.

**Mr. Ganpat Rai.**—Then I move, Sir, that the amount of Rs. 8,900 on account of the pay of the Assistant to the Deputy Registrar under head 24—Administration of Justice—High Court Judges, be not provided.

Speaking in Urdu, the hon'ble member said that the item was a small one, but the necessity for the appointment was in his opinion only due to the fact

that the Deputy Registrar was not a lawyer. If a lawyer was appointed to that post, there would be no need for an assistant to him. A ministerial officer was not competent to deal with the judicial work involved in the office, and until such time as a lawyer was appointed, and it was seen whether there was still any necessity, this new appointment should not be made. Secondly, the clerks in the High Court were on a lower scale than those in the Secretariat and the Financial Commissioner's office. The Hon'ble Judges had represented about this and desired an equality in status, and he suggested that this money might more usefully be employed towards the general expenses of that increase of emoluments.

**Malik Feroz Khan,** speaking in Urdu, said that he did not agree with Mr. Ganpat Rai about the necessity for this new appointment. The proposal had come from an eminent Indian Chief Justice who must be fully aware of the amount of work in his office, and therefore he must have fully satisfied himself as to its urgency before mooted such a proposal. As regards the capacity or otherwise of the present incumbent of the Deputy Registrarship, he was not competent to speak, but he agreed that a lawyer ought certainly to occupy the post, and he hoped that, when the present incumbent went on pension, which it was expected he would do at the end of the year, his place would be given to a lawyer, and then it might be seen whether an assistant was still necessary. But for the present he deprecated any refusal of this allotment.

**Mian Muhammad Shah Nawaz,** speaking in Urdu, said he was well aware that the Deputy Registrar had a great deal of work to get through at the present time and certainly needed help. At the same time that assistant who was asked for should in his opinion be a lawyer, and indeed the

Bar Association would represent to the Chief Justice to press this view, as they all felt that a lawyer would better discharge the duties of the post. He hoped also that, when the Deputy Registrar retired, the Assistant Deputy Registrar, to which post a lawyer would be appointed, would be promoted to the post of Deputy Registrar. He also thought that for this reason in order to train a lawyer for the duties of the post, the post of Assistant Deputy Registrar should be made and the amount asked for should be given.

Mr. Ganpat Rai, speaking in Urdu, said that after what had been said by his friends Mian Muhammad Shah Nawaz and Malik Firoz Khan as to the post going to a lawyer who would ultimately become Deputy Registrar he did not wish to press his motion, and asked for leave to withdraw his motion.

The motion was by leave withdrawn.

**The Hon'ble the President.**—The next motion before the Council is that 'under head 24—Administration of Justice—Public Prosecutors—the item of Rs. 2,75,000 on account of fees be reduced by Rs. 1,00,000.'

**Diwan Bahadur Raja Narendra Nath** (spoke in Urdu).—I have heard the speech of the Home Secretary very carefully. It has not been shown in any way how the present arrangement about the Public Prosecutors is unsatisfactory, and why that arrangement is sought to be revised. The existing arrangement appears to be satisfactory, and there appears to be no ground for changing it. The proposed scheme is that the Public Prosecutors should be made whole-time servants. I think this system of payment will prejudice public mind and people will take Public Prosecutors as Police Officers. It is also feared that in that case Public Prosecutors may not begin to take part in the

Police investigation. The proposed arrangements, therefore, do not appear to be necessary. The present system is sound and there is no reason why a sum of Rs. 1 lakh more be added to the present expenditure on Public Prosecutors.

**Rai Sahib Lala Thakar Das** (spoke in Urdu).—I will not discuss here the existing arrangement regarding the appointment of Public Prosecutors, but I am in full accord with the principle on which Raja Narendra Nath has moved this amendment. The Public Prosecutors have never been paid servants and in future also they should not be engaged as whole-time Government servants. I therefore support Raja Narendra Nath.

**Malik Feroz Khan** (spoke in Urdu).—The proposed scheme was brought up last year and was sanctioned. According to the old system the district officers nominated a man for Public Prosecutorship and paid him Rs. 100 as fixed pay, and in addition to that he would get Rs. 20 for each hearing of a Sessions case and Rs. 4 per hour in other cases. In this way a Public Prosecutor could earn only Rs. 400 or Rs. 500 per mensem which was insufficient to attract able men. This was a defect in that system. A Public Prosecutor should be a man who should be impartial, but a low-paid man cannot be expected to do his work honestly. In a Sessions Court he is being paid only Rs. 20, while the other counsels get Rs. 1,000 or so. It is quite possible that in Sessions Court either the accused or the complainant may approach the Public Prosecutor, thinking that he had received only Rs. 20, and that it would not be difficult to tempt him by offering a bribe. In that case if the Public Prosecutor sides with the accused, he will not ably prosecute the case and there is every chance that the accused may escape conviction. On



the other hand, if the Public Prosecutor sides with the complainant, he may put undue pressure in prosecuting the case and get the accused sentenced to more imprisonment than the facts of the case may warrant. Therefore it is necessary that the Public Prosecutors should be able and honest and well paid man.

There is one point more. A Public Prosecutor gets only Rs. 4 per hour or part of an hour and it is quite possible that he may get unnecessary adjournments from various Courts in order to get his fees swollen. But when he is a paid servant, he will try to get his case decided in as small a number of hearings as possible. Therefore the principle underlying the proposed system is praiseworthy and beneficial to the whole public.

I agree with Diwan Bahadur Raja Narendra Nath that if a Public Prosecutor is a paid servant, he may mix with the Police. But this evil already prevails, and the remedy for removing this defect lies in the principle that when appointing Public Prosecutors local recommendations should not be taken into consideration, and when applications are received ablest of the applicants should be appointed as Public Prosecutors.

I therefore ask the Council not to make the proposed reduction of Rs. 1,00,000.

Sayad Muhammad Hussain (spoke in Urdu):—We should observe economy as far as possible. When a post of Public Prosecutor falls vacant, many applications are received, which means that capable men can be had under the existing system of payment. I do not think that under the new scheme Government would employ new Public Prosecutors—more capable than the present incumbents,—but I believe that the enhanced payments shall be made to the present incum-

bents. Besides this, the Public Prosecutors earn a lot of money by their private practice as they are generally engaged in civil case work. It has not been stated whether they will be allowed to take up civil cases from private persons when they become paid servants of Government. I agree with Raja Narendra Nath that reduction of one lakh be made.

Rai Sahib Lala Panna Lal spoke in Urdu, and said that it would not be right to allot fixed salaries to Public Prosecutors, for this would mean that they were Government servants. The people would consider them like Police Officers. The speaker thought there were good reasons to think that the work would not prove successful. He supported the motion of Diwan Bahadur Raja Narendra Nath.

Mr. E. Joseph.—Sir, I think it is known to the members of this Council that, owing to the increased cost of living, increases in pay have been made in all directions, and the Public Prosecutors were not immune from this weakness. In fact, we received representations in several cases that the remuneration they got was insufficient, and there was very strong feeling amongst them that their services were not adequately paid. It can hardly be expected when such conditions prevail that Government can procure the best legal assistance in conducting the cases. I think it is known to the members of the Council that Government does want the best legal assistance, as every individual who is interested in a case always wants the very best legal skill in prosecuting his case. Therefore, it was necessary for Government somehow or other to increase the remuneration drawn by Public Prosecutors. It has been said that if the fees were insufficient, they could be raised instead of fixing monthly salaries. Malik Firoz Khan has pointed out some of the drawbacks and difficulties that

were found in that system of payment, but besides them a very great deal of labour was involved in preparing the bills on the part of the Public Prosecutor and a great amount of labour in the Legal Remembrancer's office in checking those bills. It was, therefore, decided to fix their salaries by paying so much per month according to the district and the amount of work that district ordinarily involved. That change was warmly welcomed by everyone of the Public Prosecutors who met the Legal Remembrancer and discussed the whole case thoroughly with him before the Government finally approved of new rates.

Diwan Bahadur Raja Narendra Nath has raised the bogey that now the Public Prosecutors will be Government servants, while previously they were not. Well, Sir, they are no more Government servants than they were before. They were called Sarkari Vakils, which surely meant that they were Government servants. The Hon'ble Member was himself a Government servant in his unregenerate days. He was a Deputy Commissioner and has also been Commissioner of Lahore, and he was paid a monthly fixed salary. I would ask him, supposing he had been paid on the same basis as Public Prosecutors, and if he had a day off duck shooting and he was only paid a nominal sum for that day, and on another he worked 14 hours and was paid Rs. 500 for that, would he have been any the less Government servant and considered less a Sarkari Mulazim than he was?

Sayed Muhammad Hussain has said that whenever there is any vacancy, there are always candidates coming up. It is perfectly true that there are always candidates, but it does not follow from this that they are always the best candidates. I think that one reason why we have not been able to secure the best successor in a vacancy is that

the remuneration was insufficient, and it is hoped in future to secure candidates who are really the best men. Of course, it is not proposed that the existing incumbents in posts should be turned out, and that we should search for better candidates. The Public Prosecutors are entertained for a term of five years, but when the term in any individual case is up, Government will seriously consider whether he should be continued for another period or whether it is possible to fill the post better under the new system.

I think that is all I have to say.

Mr. Ganpat Rai spoke in Urdu, and said that it would not be right to fix the salaries of the Public Prosecutors and thus make them Government servants. In such a case, they would have to obey the orders, and would not be able to exercise their free opinion in the matter, even though they did not like them. They were previously paid by fees, and if they were dissatisfied with the payment, those fees could be increased. But to fix their salaries in this manner and to make them a whole-time Government servant would be contrary to all sense of justice. They were previously Government servants only technically, and in fact they were at liberty to give any opinion they pleased. They could not be compelled to conduct a case which they did not like to. Government wanted their legal assistance, and they should be free to give it. It would be an injustice to make them like the Deputy Commissioners and Superintendents of Police.

Formerly they have been paid Rs. 100 as retainer, i.e., that they would conduct the case for Government whenever required. Anybody could engage a man by paying this retainer, which meant that the man so retained could not appear in any case against him and would assist him when required.

The speaker laid great stress on the fact that the Public Prosecutors were not Government servants formerly, though they might have been so in the technical meaning of the term. He strongly deprecated the proposal to make them Government servants, and supported the motion of Diwan Bahadur Raja Narendra Nath.

**Chaudhri Muhammad Amin**, speaking in Urdu, said that the turn which the discussion had taken was somewhat beside the point, inasmuch as the Public Prosecutors were still as much Government servants as they had been heretofore, as there was no difference between the pay they would get under the new system and the remuneration they were getting under the old system. He did not agree with Malik Firoz Khan as to the dishonesty of Public Prosecutors. Of course there were black sheep in every fold.

**Malik Firoz Khan**.—Sir, I rise to make a personal explanation. I said that there was a possibility, not that it actually existed.

**Chaudhri Muhammad Amin**, continuing in Urdu, said he did not agree with Mr. Ganpat Rai that under the new system these officers would be less independent than under the old, because in his opinion, having fixed emoluments, they would be able to give an unbiassed legal opinion without having any ulterior motive of getting supplementary fees by unnecessary institution of cases. He, however, wished to point out that while the allowances under the head Public Prosecutors, as would be observed from page 39 of the Budget, were Rs. 36,000 last year and are the same this year, the fees item, which was Rs. 2,02,000 last year, was this year put at Rs. 2,75,000. He did not understand why this should be so and said he would be glad to know the cause of this increase.

**The Hon'ble the President**.—Does the mover wish to say anything?

**Diwan Bahadur Raja Narendra Nath**.—Yes, Sir, and continued in Urdu:—

My estimate that Rs. one lakh more will be required for the introduction of the proposed scheme is based on the note given at page 30 of Budget, which runs as follows:—

‘The scheme of giving Public Prosecutors a salary instead of fees is estimated to cost nearly a lakh over the previous provision under Law Officers.’ I think this was the proper time for discussing this scheme when the Council was going to vote the expenditure on it. I think the proposed addition of one lakh over and above the existing expenditure will not improve the state of things. The gentlemen, who have supported me, have given replies to members who spoke against my motion. But there are certain points which I should like to touch. Ability and intelligence can only be judged by comparison.

After a couple of years Government will again bring forward a scheme to increase the emoluments of Public Prosecutors, as it will say that it requires more able and more intelligent men. After some time a day will come when Government shall expect from the Public Prosecutors the ability possessed by the Hon'ble Judges of the High Court and will put up another scheme to pay them at that rate.

When the Public Prosecutors will become paid servants they will help the Police, and that help will be quite different from the help which is given now-a-days. If Police Superintendents send files to Public Prosecutors, they do so under the clear understanding that the Public Prosecutors' bill shall come and payments shall have to be made. But when the Public Prose-

cators will become paid servants, Superintendents of Police will send them files without regard whether Public Prosecutors' help is or is not essential, which will mean that Public Prosecutors shall in a way become members of the Police staff. I have come to know that the original reason for introducing the proposed scheme is that the clerks of the Legal Remembrancer's office have difficulties in checking the bills of Public Prosecutors. Mr. Joseph has also supported this view.

**Mr. E. Joseph.**—I said that is one reason and a very small one.

**Diwan Bahadur Raja Narendra Nath** continued in Urdu. I think that is not a good reason for incurring a further heavy expenditure of one lakh. I am of opinion that under the existing system Public Prosecutors are more anxious to get Government cases for prosecution. They go to District Magistrates and point out that such-and-such cases are very important ones and Crown should be represented in them, and so they take orders from the District Magistrates and appear in the cases. But when they shall become paid servants they shall naturally wish to have as light work as possible. If they will be asked to prosecute more cases, they shall then say that they have got lot of work and will propose the appointment of Assistant Public Prosecutors.

**Sheikh Asghar Ali.**—Sir, I am afraid some of the members who have been supporting the mover are labouring under some misapprehension. I wish I could have explained the facts in greater detail at an earlier stage. It has been asked what were the difficulties which have led us to adopt this scheme. I can tell the hon'ble members that all over the world, and so in this Province, there is a great demand for higher wages on account of

the high cost of living. Incidentally it was thought that under the present system a great deal of clerical labour and checking of bills is involved. The Public Prosecutors were demanding higher fees—certainly 16 rupees a day for a Public Prosecutor is not enough. The Government took this opportunity of considering the whole case, and while about it thought the best plan would be, instead of giving them fees, to give them fixed graded salaries. You know, Sir, as all members here know, that a man is more satisfied with a less fixed pay than he would be satisfied if he were paid a daily wage. I can assure the hon'ble members here that if we had increased their rate of fees, we should have to pay a great deal more than we are going to pay them by fixing their salaries. I have not been able to understand the hon'ble member's objection that there would be a difference in the status of the Public Prosecutors. As far as I have been able to gauge, they were Public Prosecutors before and they are Public Prosecutors now: they were 'sarkari vakils' then and they would be 'sarkari vakils' now. If the hon'ble members want any information about the scheme I am at their service. It has been suggested that under the new scheme Public Prosecutors will do less work than they used to do before. I might inform the Council that they will have to attend to a certain class of cases which have been specified, and if they are anxious I can read out the list. The hon'ble mover asks why we should give them *taragqi* (promotion), and therefore he proposes that the item of Rs. 2,75,000 should be reduced by one lakh. If he looked at page 89, Appendix D of the Budget, he will find that the actuals of 1919-20 were Rs. 2,84,148. The current year's budget is Rs. 1,85,000.

**Diwan Bahadur Raja Narendra Nath.**—Are these figures of 1919?

**Sheikh Asghar Ali.**—I am giving the figures for 1919-20 and 1920-21. Revised Estimate for 1920-21—Rs. 2,09,400.

So the mover will clearly see that that Rs. 2,75,000 is not more by one lakh than any of the figures I have given. So if the hon'ble mover's proposal is accepted, i.e., if we reduce Rs. 2,75,000 by one lakh, we shall be very much worse in every possible way than we were before. It is not a question of giving them promotion, but it is a question of having the right type of men and giving them adequate pay. This morning a question was asked by an hon'ble member in which he alleged that the Government did not pay sufficient attention to the ability, experience and income of the candidates while appointing them. The Government denied these allegations.

**Mr. Ganpat Rai.**—The question was from Government side.

**Sheikh Asghar Ali.**—At the same time it is known to many of the hon'ble members who have anything to do with law and particularly to the hon'ble mover of this motion, who has had a long judicial experience, that it is not an easy thing to get the top men to become Public Prosecutors. This pay which we have proposed, and which is, I may explain, in certain districts Rs. 1,200, in others Rs. 1,000, in a large number of districts Rs. 750, and in the district of Kangra, where there is not much work, only Rs. 500, will not be enough. The Public Prosecutors that we have had are certainly above the average of the men available, and they accept these posts not because they cannot make more money—and in some cases they do make more money—but it is simply on account of the fact that there are people who value peace of mind more than the amount of money they make. I have watched many of the existing Public Prosecutors opposing the leaders of the Bar of this

Province, and even the leaders of the Bar from outside, and I have been delighted to see the stout fight that they have often put up against them.

So, Sir, what I intend to impress is that it is only a long delayed remedy which has been proposed by Government that Public Prosecutors should get a decent living wage. Some one from the members asked whether they will do civil work. As far as I can see from the file, they will be at liberty to do civil work. There are certain classes of criminal case which they must do, and that will show that they will have to do more work than they used to do under the old conditions.

**Sardar Bakhtawar Singh.**—Sir, I want to inquire from the Government member what was the amount spent in this direction in the last two years?

**The Hon'ble the President.**—There can be no further debate now.

**Sheikh Asghar Ali.**—I can give him no information, Sir, as I have got none available at present.

**Mr. Ganpat Rai.**—One more question, Sir, can the hon'ble member tell me what are the actuals of September last.

**Sheikh Asghar Ali.**—I have no explanation with me.

**Mr. E. Joseph.**—I have not received the case, but I saw it some time ago. I think we compared the average of a series of years, and not the average of any one year.

The motion that under head 24—Administration of Justice—Public Prosecutors—the item of Rs. 2,75,000 on account of fees be reduced by Rs. 1,00,000 was put to the Council and on a division there appeared—

For the motion	— 34
Against the motion	— 20
Majority for the motion	— 14

The motion was declared carried.

The motion that the sum of Rs. 55,98,000 be granted under major head "24—Administration of Justice" was put to the Council and carried.

**The Hon'ble the President.**—Mr. Secretary, a sum of Rs. 55,98,000 is voted to the Government under major head "24—Administration of Justice."

#### JAILS GRANT,

**Mr. D. J. Boyd.**—Sir, I beg to move a grant of Rs. 28,54,000 be voted on account of major head 25—Jails and Convict Settlements, with the following details:—major head 25—Jails and Convict Settlements, under Jails Rs. 25,49,000; Jail Manufactures Rs. 2,80,000; total Rs. 28,29,000; estimate of expenditure to be incurred in England Rs. 25,000

The Jail Department is mainly a spending Department, but it makes an appreciable income from hire of jail labour and from jail manufactures, articles such as carpets, tents and furniture are made and supplied to Government Departments, and printing is also done for Government. The income for the coming year is estimated to be same as the year just closing, but it is less by about Rs. 1,12,000 than that earned in 1919-20. When the war was in progress and just after its close the Department made a considerable income by supplying labour to the Army. About 250 prisoners were employed in a camp jail at Dhariwal and they did exceedingly well, both for the Army and incidentally for themselves, as they were allowed to keep part of their pay and receive bonuses for good work. The Dhariwal Camp Jail has now been closed down, but a similar establishment exists at Khewra and has given great assistance to the Salt Department. Without the help thus supplied by the Jail Department the present scarcity of salt would be much more severe than it is. With regard to the income from manufactures, it is to be remembered that Government Depart-

ments are the principal, indeed almost the only, customers of the jails. All Departments are practising economy to a much greater extent than was possible during the war, or just after its conclusion, and this to a great extent explains the fall of income in the present year, which is expected to be maintained in the coming year. It is not a matter of inefficiency on the part of the jails, but a matter of economy on the part of Government Departments which are the customers of the jails.

To-day we are mainly concerned with expenditure. It is expected to exceed that of the current year by about three lakhs. Of this amount one large sum of Rs. 1,15,000 will be found among the items of new expenditure included in Appendix E. This new expenditure has not yet been definitely allocated to any particular object, but as the Council is aware, a committee has recently been considering the administration of jails throughout India. Its report has not yet been made public, but there can be no doubt that its recommendations for the improvement of jail buildings and for various measures directed chiefly to the reform of prisoners will entail heavy expenditure. The sum of Rs. two lakhs was originally provided for this purpose, but Rs. 85,000 had to be sacrificed to the payment of the Amritsar Indemnity. It is very doubtful whether the remaining Rs. 1,15,000 will be anything like sufficient to meet the scheme that will probably be recommended to us.

The other chief cause of increased expenditure anticipated in the coming year is the growing cost of feeding and clothing prisoners, coupled with the increase in the jail population which has given considerable cause for anxiety. Again the Lyallpur Jail had to surrender some farm land to the Agricultural College, and, in consequence, the supply of grain which the Department has hitherto got without payment



has been reduced. Another large item of increase is due to the rise in the pay of Jailors, the Deputy and Assistant Jailors, clerical and medical establishment and Jail warders. This item, I am sure, the Council will not grudge. Some extra expenditure will be incurred in providing medical comforts in the jail hospitals and in preventing the spread of influenza. Again, improvements in the clothing of inmates of the Borstal Jail and concessions to prisoners in the matter of dress out of respect for their religious customs and practices account for some small increases in expenditure.

I must warn the Council that in the near future we may have to make a demand upon Provincial finances for the building of a large new Central Jail which is necessitated by the present crowded state of our prisons. This overcrowding has been accentuated by the necessity of reducing the Ambala District Jail to the status of a subsidiary jail owing to the inadequacy of its water-supply. We hope for some relief when the North-West Frontier Province builds its own Central Jail and takes back its own somewhat troublesome prisoners.

But this relief will not be sufficient to let us forego the new Central Jail. Again, another jail for prisoners suffering from tuberculosis is badly wanted. The present establishment at Shahpur is only makeshift and should be replaced as soon as possible. I think it will be admitted therefore that the needs of the Jail Department are very considerable, and that it has been modest in its demand for the coming year.

Finally, the Inspector-General of Prisons, Colonel Ward, has given me permission to say that he will be delighted to meet members of this Council at any time and to give them all the information in his power.

**The Hon'ble the President.**—No notice for the reduction or omission of any item has been given. Does any member wish to speak to the motion?

**Mr. Ganpat Rai**, speaking in Urdu, said that although there was no notice of motion to reduce any item of expenditure, he wished to make a few general remarks. He wished particularly to mention the arrangements for the feeding of prisoners and said that any member who had visited a jail during food time would support him in the view that the system was a very bad one, and he would like to draw the attention of the Inspector-General to this point.

Had the Hon'ble Minister for Agriculture been present, he would have thrown sufficient light on the matter by his personal experience. In 1919 the speaker often used to go to jail to see his friends. One day he went there, and that was the time when a meal was being distributed to the prisoners. A man with some feelings of humanity within him would have surely shed tears after seeing the sort of food which he then saw being distributed to the prisoners. He was afraid that some of the official members would say that generally the health of prisoners was good. If such a bad diet was given to them, how could they possibly remain healthy. He would draw their attention to the fact that they were not fed by the jail diet, but food was anyhow supplied to them from outside. If that had not been the case, their health would surely have been very bad. When a Jailor or some other Jail employé retired from service, he had lots of money. But Government had never thought over the matter where that money came from. The allotment which was being made for diet of prisoners should be utilised for that purpose alone. He asked the Inspector-General of Prisons to see that the poor

prisoners were properly fed and dust was not mixed in their flour and other commodities used in their food. He further pointed out that if gentlemen were appointed to look after the arrangements of the Jail Department honorarily, the state of things could be improved very much. In all the big cities, where jails were situated, honest, fearless and straightforward men could be had who would be willing to serve honorarily for the welfare of the poor prisoners.

**Sayad Muhammad Hussain** (spoke in Urdu).—The difficulties under which prisoners in jails labour have been fully put before the Council by my friend Mr. Ganpat Rai. I hope that hon'ble members of this Council will inspect jails every now and then, and I hope the Inspector-General of Prisons will very kindly permit them to do so. Prisoners are after all our brothers and they can be made useful members of society if we take pains to reform them when they are in jails. I hope the members will visit jails, and will talk to the prisoners to improve their morality.

**Sayad Ghulam Muhammad Shah** (spoke in Urdu).—I support Mr. Ganpat Rai and Sayad Muhammad Hussain.

**Rai Sahib Lala Panna Lal** (spoke in Urdu).—The Jail at Ambala has been removed, and it has been stated that satisfactory water arrangements could not be made there. In 1892 when it was proposed to establish a Central Jail at Ambala, it was then thought that satisfactory water arrangements could be made. It will not be a wise policy to leave a property worth Rs. 10 lakhs at Ambala and to establish a jail at some other place.

**Mr. E. Joseph.**—Sir, I rise to a point of order. Is the hon'ble member entitled to discuss this matter?

**The Hon'ble the President.**—The member is in order in making remarks on the grant as a whole.

**Sardar Bakhtawar Singh** (spoke in Urdu).—Prisoners do not get a proper diet. In the Montgomery Jail prisoners are required to perform such duties as are even difficult for animals to perform. I would suggest that in future budget provision should be made for the employment of preachers of every religion, so that they may preach among the prisoners and give them religious education. In this way I hope the prisoners will become useful members of the society one day.

**Rai Sahib Lala Thakar Das** (spoke in Urdu).—For some time past the jail authorities have been sending prisoners for labour at different places outside the jail. For example, jail labour is employed in the Salt Mines which is not a sound policy. I would request that this practice be discontinued.

**Pandit Daulat Ram, Kalia** (spoke in Urdu).—I bring to the notice of the members of this Council and the Jail authorities that a great deal of corruption is prevailing among Jail officials. The Jail employes earn a good deal of money by unfair means.

I propose that 'Prisoners' Friends Societies' be started, and the members of these societies be allowed to inspect the jails and to preach good ideas among the prisoners. When prisoners are released, they should be provided with some means of earning their livelihood.

**Mr. K. L. Rallia Ram** (spoke in Urdu).—I have never had an occasion of going into a jail in the capacity of a prisoner, nor do I wish ever to go there as such. The Government have very kindly given permission to the members of the Amritsar Temperance Society to visit different jails, and I being a member of that society often visit

Lahore Central Jail and the Jail of Juvenile Prisoners. In the latter jail there is a school and the boy-prisoners are also given facilities of in-door games. I propose that Government take steps to make the prisoners learn some good arts while they are in jail, so that, when they are released, they may be able to earn their living by fair means.

I agree with Pandit Daulat Ram, Kalia, that the society proposed by him will be very useful.

**The Hon'ble the President.**—The motion before the Council is that a sum of Rs. 28,54,000 be sanctioned. I take it that the intention of members is only to draw the attention of Government to their views for future consideration. No body has opposed the motion, and I will not, therefore, call upon the Government to reply.

The motion that a sum of Rs. 28,54,000 be voted on account of major head "25—Jails and Convict Settlements" was put to the Council and carried.

**The Hon'ble the President.**—Mr. Secretary, the Council has sanctioned Rs. 28,54,000 under major head "25—Jails and Convict Settlements." The Government will doubtless take note of the remarks made by the different members in this Council.

**Mr. D. J. Boyd.**—The Government will take all the proposals into consideration, but I may perhaps say. . .

**The Hon'ble the President.**—There should be no further debate, as the question has been closed.

It is now 1-15. The Council will adjourn till 2 o'clock, when the discussion on the Police grant will be taken up. Will Government be prepared to take up Police grant at once at 2 o'clock?

**Sheikh Asghar Ali.**—If the Hon'ble Sir John Maynard does not come by that time, I can take it up myself.

(The Council then adjourned till 2 o'clock.)

### POLICE GRANT.

**The Hon'ble the President.**—The Council will now proceed to consider the demand for a grant under head "26—Police."

**Sheikh Asghar Ali.**—I beg to move, Sir, that a grant of Rs. 94,24,000 be voted on account of major head 26—Police, with the following details:—

	Rs.
Superintendence ..	72,000
District Executive Force ..	81,40,000
Special Police ..	1,62,000
Railway Police ..	6,88,000
Criminal Investigation Department ..	2,85,000
Miscellaneous ..	4,000
Refunds ..	7,000
Lump provision for revision of clerical and menial establishment, technical establishment, criminal tribes and Lahore allowance	52,000

Estimate of expenditure to be incurred in England, Rs. 6,000; making a total of Rs. 94,24,000.

I make no further remarks, Sir.

**The Hon'ble the President.**—The first item is that moved by Sayad Muhammad Hussain that under head 26—Police the item of Rs. 7,14,000 for Railway Police be omitted.

**Sheikh Asghar Ali.**—The demand we have made is for Rs. 6,88,000. The balance is non-votable.

**The Hon'ble the President.**—The hon'ble member should restrict his

motion accordingly, as he cannot move to omit more than is asked for.

**Sayad Muhammad Hussain** moved that the demand for Rs. 6,88,000 on account of the Railway Police be omitted.

Speaking in Urdu, he said that he was not against the Railway Police in any way. His object was to point out that the Railway Department was an Imperial one, its receipts went to the Government of India, and they should therefore pay for the necessary police expenses involved. Secondly, he wished to know what system prevailed in other provinces as regards the railways running through their Administrations. If the Government of India paid the expenses there, it ought to pay similarly in the Punjab.

**Sheikh Asghar Ali**.—I am not quite certain what the system is on other railway systems, but I believe there are only certain items for which the Company pays—if it is a Company railway—and that is for watch and ward of certain places. Otherwise I think it is as much an expense for Local Governments as any other expenditure incurred in connection with the preservation of life and property, administration of justice or prevention of crime. I am sure, if the hon'ble member made enquiries, it will be found that the other provinces also incur this expenditure on the Railway Police in the same way as they incur expenditure on any kind of police, special or ordinary.

**Diwan Bahadur Raja Narendra Nath**, speaking in Urdu, supported the motion before the Council, and said that the Government of India had levied a very heavy contribution on the Punjab Government and had not treated them generously. If therefore the Government of India could be made to foot the bill on account of Railway Police, nothing would give him greater pleasure.

**Mian Muhammad Shah Nawaz**, speaking in Urdu, said he also wished to move a similar motion on this account, to omit the expenditure on Railway Police. But what he particularly wished to point out was the expenditure incurred on Railway Police at Delhi main and Sabziwadi railway stations. These were outside the jurisdiction of the Punjab Government and therefore in his opinion this expenditure should not be borne by the Punjab. He was perhaps prepared to pay a portion of the expenditure, but not the whole, as all the receipts of the North-Western Railway went into the pockets of the Government of India.

**Pandit Daulat Ram, Kalla**, speaking in Urdu, said that there were two kinds of railways, namely, State-owned and Company railways. In the first category in this province came the North-Western Railway, and in the second the Bombay, Baroda and Central India and East Indian Railways. As regards the Company railways, they were in the same position as a private man who started several businesses and factories and who was entitled to receive protection for his property from the Government. As regards Imperial Departments similarly; it was no argument that, because the revenues went to the Government of India, they should therefore find the money for watch and ward and protection, which duty specifically devolved upon the Local Government. And because the revenue of the North-Western Railway went to the Government of India that was no reason why they should pay for the police force required to keep order and protect the property of the railway.

**Khan Sahib Chaudhri Fazl Ali**, speaking in Urdu, said that the whole question was, could this cost be debited to the Government of India or not? No answer to this question had yet been given. Secondly, in his opinion, as

Pandit Daulat Ram, Kalia, had pointed out, the Punjab Government was responsible for the protection of the railways passing through its administration in the same manner as it is its duty to protect the lives and property of the public generally.

**The Hon'ble the President.**—Do I understand that the mover of this motion is moving it merely to draw attention to a matter of accounts as between the Punjab Government and the Government of India?

**Sayad Muhammad Hussain.**—I wish merely to raise the question whether this expenditure cannot be put on the Government of India. If we cannot do that, I do not wish to press it. The other matter on which I wanted information was the system prevailing on other railways, the East Indian Railway for instance.

**The Hon'ble the President.**—When a member desires to draw attention to a matter it is not necessary that he should move for the removal of the whole item involved. He can move for the reduction of a formal amount, in order to bring the discussion into order. If the present motion is persisted in, the Council will have either to pass it, in which case it will put an end to the Railway Police altogether, or reject it, in which case no opinion on the point involved will have been given. Whereas if the member moves the reduction of the amount by a formal sum, say Rs. 1,000, the Council will be able to give the Government an indication of the policy, which it thinks should be followed, without interfering with the work of the Railway Police.

**Sayad Muhammad Hussain.**—My idea is not to put an end to the working of the Railway Police. If the Home Secretary had given me full information about the matter, I would have with-

drawn my motion. As it is I move a reduction of Rs. 10,000.

**The Hon'ble the President.**—The motion now before the Council is that the item of Rs. 6,88,000 be reduced by Rs. 10,000. Discussion will now go on about this.

**Mr. Ganpat Rai.**—It would have been better if the voting of this grant would have been postponed to some other day. If we have no information before us about this matter, then it will not be of much use to carry on this discussion.

**The Hon'ble the President.**—The grant must be voted to-day unless the Government apply for an adjournment. The time table is fixed by His Excellency the Governor and I cannot alter it.

**Mr. C. M. King.**—I am afraid we cannot apply for adjournment.

**Mr. Ganpat Rai** (continued in Urdu).—We wish to help Government in every way. It was proper for the official members to throw more light on the subject, when they do not wish to have an adjournment.

We do not wish to abolish the Railway Police, but the question is who should pay for it. If Punjab Government is relieved of paying Rs. 6,88,000, this amount can very well be utilized for some other purposes. It has been said that the income of a factory is taken by its owners, but Government makes arrangements for its protection. I would point out that proprietors of factories pay us income-tax and also other taxes, and therefore this example is not in point. The North-Western Railway is a State Railway and its income goes direct to the Government of India, and I would suggest that the Government of India should pay its expenses.

**Rai Sahib Sardar Harnam Singh.**—We are asked to pay for the Railway Police for the North-Western Railway,

but there is no item for the Bombay, Baroda and Central India Railway, which also passes through the Punjab. Similarly, no amount is asked for the East Indian Railway which also passes through the Punjab near Ambala. In the same way we are not asked to pay anything for the Great Indian Peninsula Railway which passes through the Punjab near Gurgaon. The Home Secretary has not explained why we should pay for the North-Western Railway. It is no reason that because the North-Western Railway is a State Railway we should pay for it. This should also be treated in the same way as the other Company-managed railways are treated. Its expenses should be borne either by its own revenues or by the Government of India.

**Khan Bahadur Raja Muhammad Akbar Khan** (spoke in Urdu).—Sayad Muhammad Hussain is not objecting to the payment of Rs. 10,000 only. What he wants to know is whether these expenses should be borne by the Government of India or by this Government. If the Government of India can make arrangements, there is no necessity for voting this money. If sufficient light is thrown on the subject, I trust Sayad Muhammad Hussain will withdraw his motion.

**Rai Bahadur Lala Sewak Ram**.—Sir, I want to inquire from the Home Secretary that as the North-Western Railway passes through the United Provinces, goes to North-West Frontier Province, and to Sind, whether those other Governments also pay for the Police required on the North-Western Railway which passes through their territories. If the Punjab Government has to pay the whole of it, I would certainly think that this Council should not be asked to pay for other provinces. I should like the matter to be distinctly placed before the Council whether the other Local Governments also pay for

the Police. This Council cannot vote on the expenditure unless it is satisfied that other Governments also share the expenditure.

Moreover, when this is a settled fact that the North-Western Railway is making lots of money by way of profit, why should our province be taxed with the expenditure of the Railway Police. I think the North-Western Railway should bear the burden, or the Government of India which derives the income.

**Malik Firoz Khan**, spoke in Urdu and said that he appreciated the idea underlying the motion of Sayad Muhammad Hussain that the Government of India should be asked to pay this expenditure. But the fact that the North-Western Railway was making large profits was no ground for saying that it should be asked to pay for the Police working on the lines. The Police was required for the peoples' own good, and the North-Western Railway could work without the assistance of this Police. He admitted that the Government of India should be asked for this expenditure, but in case they refused to pay it, it did not mean that the Police should be given up.

The speaker further urged that there was no reason to keep the Railway Police as distinct from the ordinary Police. Both should be amalgamated. He wanted the ordinary District Police and the Railway Police to work under the same Superintendent.

**Mr. C. M. King**.—Sir, I gather from the remarks that have been made so far that the objection is not to the Railway Police as Railway Police, but to the fact that this province has to pay for them, and not the Government of India. On that point I have just spoken to the Financial Secretary, and I gather that there is no chance, at any rate this year, of this burden being put on the Government of India, and it



would be no use if we endeavoured this year to shift the burden.

There is one point made by many speakers here, which is also, I think, due to misapprehension. They asked why the North-Western Railway should come to the Local Government to pay for their Police, whereas the other railways in the Punjab apparently pay for their own Police, or at all events they do not come to this Government to pay for their Police.

There is also a further question whether the Local Government pay for the cost of Police in those parts of India which are not in the Punjab, e.g., Baluchistan, Peshawar and Delhi and other provinces which are served by the North-Western Railway. I have consulted the Inspector-General of Police, and I have his authority to say that as a matter of fact the name North-Western Railway Police is a misnomer and the proper name is Punjab Railway Police, and it is as Punjab Railway Police that they are departmentally treated. The Punjab Railway Police look after and work on all the lines in the Punjab, i.e., the North-Western Railway, the Southern Punjab Railway, Bombay, Baroda and Central India Railway and all other railways in the Punjab. Moreover, they confine their attentions to the Punjab, and they do not extend their duty beyond the limits of the province. They stop short at Sind, and they stop short at Peshawar. As far as Delhi is concerned, there is a special arrangement. The cost of Delhi is paid by this Government, but the expenditure is readjusted, so that we really do not pay for more than the expenditure incurred owing to the needs of the Province. I hope that will explain away some of the objections that have been made by some of the speakers.

Another point that has been made by the member who spoke just before

me—Malik Piroz Khan—was that the Railway Police ought to be amalgamated with the ordinary District Police.

The Hon'ble the President.—I was very doubtful about the relevancy of that point. I only did not intervene as the member was speaking from the Government bench and I thought some point was going to be made which would be relevant. I do not want this discussion to spread over big questions not strictly covered by the motion.

Mr. C. M. King.—I quite agree and will say no more on that point. The remaining question is whether we shall accept this resolution. I feel sure that all members of this Council are agreed as to the necessity of having Railway Police and they are only objecting to show a general desire to pass the burden on to the Government of India, if possible. As it is not possible to do so this year, I trust that members will vote for the demand in full.

Sayad Muhammad Hussain, speaking in Urdu, said that his only object in moving the reduction of Rs. 10,000 was that the official member in charge should in future inform the Government of India that this Council was reluctant to bear expenditure in connection with the Railway Police. His object was also to get information as to the system prevailing in other provinces with regard to this item of expenditure. In his opinion the expenditure should be met out of the earnings of the railway concerned. In framing the Budget next year he hoped all these factors would be taken into consideration. He simply wished to enter a protest against the existing system, and in order to give effect to this moved a nominal reduction of Rs. 10,000.

Sheikh Asghar Ali, speaking in Urdu, said that members had complained

that they had not been supplied with information by the Government, but it seemed to him that they also had omitted to explain how the Government of India was to bear this expenditure, which obviously must be borne by the Local Government in the same manner as the expenses of the ordinary Police were borne by it. As regards the Delhi main and Sabzi-mandi railway stations, the expenses were borne not by the Punjab Government but by the Delhi Province. This Government was only concerned and only paid for the Railway Police employed within its jurisdiction. If the Council desired to ask the Government of India to entertain the expenditure on this account, the best thing would be to move a separate resolution to that effect. As to the Government protected the lives and property of other citizens and public bodies, so it was bound to protect the railways. If, however, a man wanted protection for a purely private hoard, he had to keep his own watch and ward staff, and similarly the railway kept their own watch and ward staff for godsheds and cash-rooms. The Government of India cannot and will not pay this amount, which is purely the concern of the Local Government.

**The Hon'ble the President.**—The motion before the Council is that the sum of Rs. 6,88,000 required for the Railway Police be reduced by Rs. 10,000.

A division was taken—

For the motion                      28

Against the motion                  19

Majority for                          9

The motion was declared carried.

(When members in favour of the motion were called upon to stand in their places one member was observed

to be endeavouring to pull up another member who was remaining seated. The member was called to order. After the division was over the Hon'ble the President addressed the Council.)

**The Hon'ble the President.**—I do earnestly appeal to the Council that we may have no scene like that which has just taken place. Members must be allowed to give their votes according to their conscience and not under stress of physical force.

**The Hon'ble the President.**—The motion now before the Council is 'That under head 26—Police the grant for the Criminal Investigation Department be reduced by Rs. 59,000.'

**Sayad Muhammad Hussain** (spoke in Urdu).—Sir, I move that Rs. 59,000 be reduced from the item against Criminal Investigation Department under head 26—Police. Page 65 of the Budget will show that the Revised Estimate for the year 1920-21 is Rs. 8,04,000, but the Budget Estimate for the year 1921-22 is Rs. 8,50,000. There is no note to show why this sum has been increased. I would ask Government kindly to throw light on the subject and inform us whether the pay of the Criminal Investigation Department has been increased or more officials have been engaged in this Department. The officials of this Department submit untrue reports to Government and the Martial Law troubles of 1919 were partly due to their untrue reports. Now the Government is a part and parcel of the general public and we are its partners. Under the present circumstances there is no necessity of increasing the Criminal Investigation Department force. The Indian people have got rights similar to those possessed by Canadians and Australians. If our rights are, at present, not equal to them, it is only because we are beginners. We expect to get our full rights gradually.

The present Government is composed of the Hon'ble Sir John Maynard, the Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia, the Hon'ble Khan Bahadur Mian Fazl-i-Hussain and the Hon'ble Lala Harkishan Lal. Although Sir John Maynard is a European by birth, but, truly speaking, he is a Punjabi, as he has served this province for the last 35 years. I can safely call him to be the oldest Punjabi. The Hon'ble Sardar Bahadur Sardar Sundar Singh, the Hon'ble Khan Bahadur Mian Fazl-i-Hussain and the Hon'ble Lala Harkishan Lal are held in great respect by each and every inhabitant of this province. Above all His Excellency Sir Edward Maclagan, who is the head of this Government, is a very kind and generous officer and is equally respected by all. Now I do not see against whom a Punjabi will make any conspiracy. The Government being the people's own Government there can be no rebellion against it, and hence there is no necessity of increasing the number of Criminal Investigation Department officers. If we want to discourage the non-co-operation movement, we should take people into our confidence and we should not believe in the false reports of Criminal Investigation Department officials.

I propose that the reports received from Criminal Investigation Department officers should be made known to the members of this Council, so that we may be in a position to help Government when necessary. I urge that the proposed reduction be made in order to show that Government have trust in the people and they do not now stand in much need of this Department. I wish the day may soon come when Government may consider the advisability of doing away with the services of this Department altogether.

Mian Ahmad Yar Khan, Daulana.  
—I am afraid this motion is very de-

trimental to the interests of the State. The Criminal Investigation Department has no doubt on account of an unwise and imprudent policy of some members of its subordinate staff fallen in great discredit with people of this country. The complaint against the tyranny exercised by this Department is general, and many innocent people have fallen victims to the hasty judgments and impolite behaviour of the members of this force. Despite these and many other shortcomings, it is but a truism that the State cannot do away with the services of these itinerant and disguised guardians of public interests. A secret Police is not an innovation of the British Government. The historical records of every land testify to the efficacy of this administrative measure. No Government, which has the interests of public safety and security of the Government at heart, can dispense with the services of a force that like the recording angels silently and unassumingly dogs the feet of a criminal that outwits the liveried custodian of public safety. What a Policeman in red and khaki uniform cannot do, the gentleman in white performs, and even the most inveterate and cunning criminal has to restrict his malpractices for the fear of sudden and unexpected detection by perhaps one of his own comrades who, though a zealous member of the gang, may ultimately appear in the witness box as no other than a member of the Criminal Investigation Department. The effective way in which John Warburton dealt with the dacoits of this province is known through the length and breadth of this country. Though long dead, he still inspires the criminal with fears of his sudden resuscitation. The present state of the country demands that a more efficient, more capable and more responsible staff may be added to this Department. Increase, however, is not in our power. Let

us therefore not show our ignorance of political necessities by curtailing expenditure on this force. We can, however, do one thing, and that is this, that we can impress upon Government the necessity and prudence of improving the system. The irresponsible acts that have courted the protest of the people of this country have been performed by the low-paid, incapable and improvident members of the lower staff who, in order to show their *karguzari* and win a better name for their undeserving selves, fill the blank pages of their diaries not in the field of their activities but in their sleeping rooms after discussing a sumptuous meal. Let there be no man lower than the rank of a Sub-Inspector, and that too of established ability and unquestionable honesty, in this Department. This may be an evil, but it is a necessary evil and let us try to turn it into permanent good. Therefore I beg to oppose the motion with a hope that the higher authorities responsible for this Department will effect the desirable improvements.

Mr. E. Joseph.—I understand, Sir, from the hon'ble mover that he does not really want to reduce the force. I think the hon'ble mover understands that the Criminal Investigation Department is not some mysterious or alarming force to be generally feared, but is really the detective branch of the Police force itself. The Police force does the ordinary duty of watch and ward, and prosecutes in ordinary straightforward cases. But there are cases for the prosecution of which they have not sufficient detective ability, and, therefore, there exists a Criminal Investigation Department which consists of a number of officers who have special detective abilities, and they do not always flaunt themselves in uniform. I think it is admitted by certain speakers, and also by the hon'ble mover—I

would have liked to ask for a translation of his speech as I did not follow him fully, but I think it is admitted by him—that we must have a force of this kind, and the only object he has in moving a reduction of Rs. 59,000 is to call the attention of Government to the fact that there are complaints as to the probity of certain members of the Department and to impress on Government the necessity of doing its best to keep its Police straight, upright and honest. I have no doubt that there may be complaints against individuals, and I do not doubt that sometimes they may be justified, but I am sorry to say that there is no service in the whole country—possibly we might say in any country—in which there may not be legitimate complaints as to the probity of individuals from time to time. But I would suggest to the hon'ble members that the best way to improve the reputation, the probity of any service, is to increase its pay and not to reduce it. The more you pay them, the better you pay them, the less the complaints against them. You can in that case say—“We have given you so much money, now we expect you to be upright and honest.” They will have no inducement to feather their nests and fill their pockets by indirect and underhand means. So long as you do not pay them well, you never can reasonably complain to Government that their servants are corrupt. The hon'ble member in moving for a reduction of Rs. 59,000 perhaps thinks that Government is increasing its activities in the direction of new departures. As I understand the reason for this increase of Rs. 59,000 is due, as in the case of other services, to the increased cost of living. Now, if you turn to the Sub-Inspectors, Sergeants and others of the Criminal Investigation Department and say—“Here is a pay which is not sufficient and is less than that of the ordinary Police, now be honest,” I think we would simply be making

ourselves ridiculous by such a proposal. I would therefore appeal to the hon'ble member, when he really admits that we must have a Police force, and if he accepts that we should pay them sufficiently, to withdraw his resolution. He cannot possibly suppose that Government desires to have bad servants. I think everybody knows that Government does what it can to make its servants honest. Where it is found that a man is corrupt, Government prosecutes. I do not say it always succeeds in obtaining a conviction. But it cannot be supposed that Government desires to have corrupt servants. I would therefore ask the member to withdraw his resolution.

**Sheikh Asghar Ali.**—The estimate is for Rs. 8,50,000, the Revised Estimate was Rs. 8,40,000. The difference is only Rs. 10,000. This is principally due to the revision of the pay of the Police Department and also to a certain increase in the establishment which I will explain. This consists of four Sub-Inspectors as Urdu shorthand writers. Absolute necessity was felt for Urdu shorthand writers, and four men have been entertained to be trained as shorthand writers, and five Sub-Inspectors for the Finger Print Bureau at Phillaur, the work of which has tremendously increased during recent years.

**Sayad Muhammad Hussain.**—I wish to ask for leave to withdraw my motion.

**Mr. Ganpat Rai.**—I hope that after he has heard me. . . . .

**The Hon'ble the President.**—The motion is that leave be given to withdraw. It will be in order if the member speak on that motion.

**Mr. Ganpat Rai,** speaking in Urdu, said he opposed this motion and hoped the Council would not give leave to withdraw the motion. It was very

necessary for them to consider whether they were wise in permitting the creation of a force of ununiformed Police, who were likely to be a danger rather than a protection to the public.

On the motion being put, leave was given to withdraw the motion.

The motion was by leave withdrawn.

**The Hon'ble the President.**—The next item is that Rs. 75,000 provided for the substitution of town watchmen by regular Police be reduced by half.

**Sayad Muhammad Hussain.**—May I point out that this motion of mine is entirely covered by the motion of Diwan Bahadur Raja Narendra Nath, who moves the removal of it altogether.

**The Hon'ble the President.**—The motion then before the Council is that the following item under major head 26—Police be omitted:—

“Substitution of town watchmen by regular Police in municipalities and notified areas, Rs. 75,000.”

**The Hon'ble Sir John Maynard.**—I think there must be a misunderstanding about this item. The proposal is simply this that certain small towns and notified areas shall be relieved of the charges to which they are now put on account of Police work which is done by their town watchmen, and that Government should take that expense upon itself. Some years ago it was decided by Government that Police charges should become a charge upon Government, and that the municipalities should be entirely relieved of it. That measure was carried out almost entirely, but there remained a few smaller towns and notified areas in which there were no regular Police but only town watchmen. It is now proposed to carry further that measure of relief by which charges formerly paid by the town will be transferred to Government and to accept a burden



on Provincial funds to the extent of Rs. 75,000, replacing the town watchmen by regular Police.

**Diwan Bahadur Raja Narendra Nath.**—I only wish to ask whether this expenditure cannot be postponed for one year. I also wish to know whether there will be any notified areas which will yet have to bear their own expenses on this account.

**Mr. Ganpat Rai.**—Sir, I regret that I cannot support Raja Narendra Nath in this motion. After hearing the explanation of the Finance Member I think the intention is to relieve the smaller towns and municipalities and notified areas from the burden of taxation on account of Police, as has been done in the case of the big cities like Lahore and Amritsar. I know that, so far as the Lahore Municipality is concerned, that charge was taken away some years ago. It will be greatly to the interest of the municipalities and of self-Government if this is done everywhere. They will be able to spend the money on medicine, sanitation and education. This item, as proposed, should be accepted, and I would therefore request Raja Sahib to withdraw his motion in the interests of smaller notified areas and municipalities.

**Diwan Bahadur Raja Narendra Nath.**—Can I get any answer to the question which I put. Will there be any notified areas left over which will continue to bear their own expenses?

**The Hon'ble Sir John Maynard.**—Yes, there will be a few left over. It is not a complete measure, but a step towards it.

**Diwan Bahadur Raja Narendra Nath.**—With the permission of the Council I will take back this motion.

The motion was by leave withdrawn.

**The Hon'ble the President.**—The motion now before the Council is that

sum of Rs. 94,10,000, being the balance of the demand made, less Rs. 10,000 which has not been voted, be granted.

Does any member wish to speak on this motion?

**Mr. Ganpat Rai,** spoke in Urdu, and said.—It is general complaint that there is great corruption in the Police Department. Mr. Joseph had pointed out that Government does not miss any opportunity of punishing a Police official who is found guilty of taking bribe. I repeat that Government have not taken adequate steps to check this evil. A man who brings a complaint against a Police officer is not given the proper facilities of being heard soon, but every possible trouble is placed in his way to avoid the complaint being heard. I bring one example to the notice of this Council. There was a general complaint of corruption against a Sub-Inspector of Police in Ludhiana District. District Superintendent of Police did not hear the complainant, Baghi Ram, who afterwards went to Deputy Inspector-General of Police, Ambala, but with no good result. The man gave a written application to District Magistrate, who sent his application to a Magistrate for preliminary enquiry. The Magistrate ordered the man to file a list of witnesses. A list of 80 witnesses was filed and the Magistrate went to the spot and examined those witnesses. But on this too no action was taken against the Sub-Inspector. As all the facts came up on a Judicial file, and no one could conceal the facts, the complainant filed an application for copy of Magistrate's proceedings, but he was denied this. But after all it came to light that the Magistrate, who made the enquiry, reported against the Sub-Inspector, and he stated in his report that the Sub-Inspector was not only a corrupt officer but he had also disgraced some ladies as well. But no action was taken against the Sub-Inspector and the file was consigned to



the Record Office. I noticed the above facts in a newspaper and put a question in this Council. I have come to know that, after I put my question in this Council, the Sub-Inspector was suspended. This is only one example of Police corruption, and I can give many more examples.

We have now entered upon a new era and I would request Government to start the new era from the bottom of their hearts. Government should not help strong-headed, tyrannical and corrupt officers. If high officers wish, they can easily set right the Police Department. As the Police Department is not good, hence the increase in the number of crimes. The Magistrates are also under the undue influence of the Police, as would appear from the example quoted by me above.

The unpopularity of Government in the minds of the general public is greatly due to the Police *zulm*. No one can have any grudge against a true report, but the Police do not submit true reports and this is why the public mind is irritated. If Government wish to pacify the public mind, they should try their best to correct the Police Department.

Sayad Muhammad Hussain, spoke in Urdu, and said.—I get many opportunities to mix with the masses, and I can well translate the public mind. The public are tired of Police tyranny. I admit that to some extent this Department has been reformed, but there is still a great field for further reforms being made in this Department. We all know that many of the Sub-Inspectors, who get only Rs. 50 or Rs. 60 per month, drink wine and are addicted to other luxuries. We have never tried to bring home the fact where from they get so much money. They extract money from the poor and enjoy all sorts of luxuries. The evil is not limited to Indian officers, but European officers,

who take 'dalis' from their subordinates, are also blameable. In some of the districts such as Montgomery and Gujranwala the condition is very bad. The Police officers, after arresting a number of accused persons, release some of them and *chalan* only one man because they get sufficient money as bribe from those whom they so release. I may bring one more matter to the notice of this Council. In a village a Hindu was suspected in some case, and the Police, who came there for making investigation, beat the man mercilessly. Next morning the man was found dead. Medical examination was performed and it came to light that the man had committed suicide. Although some villagers suspected that the man had been killed by the Police, but I am not ready to admit that. What I shall say is that he committed suicide as he was very much afraid of the investigating Police officer. There are many other examples of Police tyranny, but I do not wish to take much time of the Council. I would respectfully urge that the Police officials or officers, who are found guilty, should be adequately punished so that they may stop these malpractices.

Sardar Bakhtawar Singh, spoke in Urdu, and said that the Police had made themselves very objectionable to the public by their high-handedness. They considered themselves as angels and not men. He would draw the attention of Government to this fact.

Mian Muhammad Shah Nawaz, spoke in Urdu, and said that there were very many objections against the Police. It was admitted that the Police took bribes and exercised all sorts of coercion on the people. He invited the attention of the Punjab Government specially to the Police Administration in the Punjab, and requested them to set it right at once. If the Police did not mend their ways, the Council would have to reduce their salaries next year.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain, spoke in Urdu, and said he would like to add something to the interesting debate which had taken place. In regard to bribe-taking, he pointed out that it was for the people as well as for the Government to take measures to prevent it. So long as the people did not try to stop this, no body could help them. He said he had seen people who were honest and upright before they joined the Police, but it is alleged that as soon as they entered it, they suddenly turned dishonest. He had carefully considered this point, and had come to the conclusion that it was largely due to the people themselves. In some cases they compel the officers to become dishonest. Whenever there was an honest Police officer, some people felt dissatisfied, because they would not be able to achieve their ends by underhand means. He requested the members to impress on the people the desirability of stopping this habit of giving bribes. There lay the solution of the matter.

The motion that a sum of Rs. 24,14,000 be granted under head

26—Police was put to the House and carried.

The Hon'ble the President.—Sir John Maynard, the Council votes you Rs. 24,14,000 under head 26—Police.

Mr. B. T. Gibson.—Sir, may I inform the Council of a slight change in the Financial Memorandum? If members will turn to page 124 of the Financial Memorandum, they will see under item 28 Rs. 50,000 for Hydro-Electric Surveys in the Punjab. This item has been transferred to head 30—Scientific, under which the total will be one lakh instead of Rs. 50,000, page 66. Will the Council please note that the sum of Rs. 50,000 is transferred from Civil Works (Transferred) to the grant for Civil Works (Reserved) with which is 30—Scientific Department, on the same day.

The Hon'ble the President.—The Council will now adjourn until 11-30 tomorrow. At 11 o'clock there will be a ballot for the resolutions to be moved on the 19th.

(The Council then adjourned till 11-30 on 9th March.)

## PUNJAB LEGISLATIVE COUNCIL.

Friday, 9th March 1921.

The Council met at the Council Chamber at half-past eleven of the clock. The Hon'ble the President in the Chair.

### GOVERNMENT'S DEMANDS FOR GRANTS.

#### EDUCATION (RESERVED) GRANTS.

The Hon'ble the President.—The Council will now proceed to the discussion of the Government's demands for grants. The first head is that of Education (Reserved).

The Hon'ble Sir John Maynard.—Sir, I beg to move that a grant of Rs. 5,87,000 be voted on account of major head 31—Education, (Reserved) and 30—Scientific Departments (Grants to Scientific Societies), as follows:—

First, under head Education (Reserved) for the Lawrence School at Ghoragali 2,32 (the figures are in thousands of rupees), for Grant-in-aid 3,11; the Government Training Class at Sanawar 13.

Then under the head of General Expenditure, for Scholarships 25; for Miscellaneous 5; making a total of 5,46.

On account of 30—Scientific Departments, the demand is only for Scientific Societies. The grand total is thus 5,87,000 rupees.

With the exception of a small item on account of the donation to the Society for the Promotion of Scientific Knowledge, which is a society in Lahore for the spread of useful information on subjects of hygiene, the whole of this demand is on account of European education. As I notice that there are certain motions to be considered, it is just as well that I should say something on the subject of the Ghoragali School charges. The Ghoragali School is a school which

educates 250 European boys. In connection with it there is another school for girls, which educates about 180 girls. It was founded about the year 1860 in memory of the late Sir Henry Lawrence, a famous friend of the Punjab and a great Champion of Indian interests. The greater part of the money which was required for the foundation of this school was derived from public subscriptions. I understand, though I have not the figures before me, that a sum of something like two or three lakhs was raised by public subscription for the foundation of this school, and the buildings which were then erected, supplemented by certain others, were built out of the proceeds of this public subscription. Comparatively recently the school was taken over from the trustees by Government and is now managed as a Government school. As I notice that one of the motions which has been tabled refers to the contingencies of this school and proposes that the amount budgeted for contingencies be omitted, I think it is desirable that I should explain that the word "contingencies" is here used in a sense very different from that in which it is ordinarily used; that is to say, it does not mean that minor items of expenditure which in offices are ordinarily classed as contingencies, but it virtually refers to the whole expenditure of the school. The item in question is a large one, the figure being Rs. 1,41,000. I ought to explain that though Rs. 1,41,000 are to be expended on the maintenance of the school, this is by no means the net expenditure. The fees which are charged to the scholars of this school are on an unusually high scale. The amount is now Rs. 32 per mensem each for 12 months, that is to say, Rs. 372

per annum, and the gross total received in fees is budgeted as amounting to Rs. 1,11,000. Therefore this item of expenditure which is before you—the item of Rs. 1,41,000 to which objection is taken—is not the net expenditure, because Rs. 1,11,000 are brought in by the fees which are paid by the pupils of the school.

I think I need say no more at the present stage upon the expenditure of the Ghoragali School, except as regards one item of Rs. 8,000, in regard to which also a motion has been tabled. It is very probable that when the mover of that motion tabled his amendment, he believed that this would be expended entirely on what is generally known as the domiciled European community. As a matter of fact it is expended upon machinery for enabling the domiciled European community to do certain useful work. But the object is not limited to the domiciled European community. It also offers training to Indians in those same subjects. Already two classes have been held at which Indians were instructed in those subjects, and it is contemplated that Indians will receive the full benefit of this expenditure.

**The Hon'ble the President.**—The first motion stands in the name of Mr. Ganpat Rai that “under Head 31—Education—Secondary Schools for Boys and Girls the grant of Rs. 8,000 for the teaching of Domestic Science in the Lawrence School, Ghoragali, be omitted.”

**Mr. Ganpat Rai.**—The motion, which stands in my name, I may say at once, does not come of any racial hatred but on the contrary it is intended to promote co-operation and to restore good feelings between Europeans and Indians. That is the reason why I have brought this motion before the Council. Now we know that in the past we tried to send Indian boys and girls to these European schools, but we were told that they cannot be admitted and that they should go to their own Indian schools. Some of them were Indian Christians, who bore an

Indian name, but while other Indian Christians, who changed their names and assumed or adopted European names, were not objected to very strongly. This is one aspect of the case which I wish to bring before this Council when sanctioning this grant. I have heard the explanation given by the Hon'ble the Finance Member as to the future attitude as regards the admission to these schools and also his explanation with regard to contingencies, which most of us understood that these contingencies were meant for hot and cold weather charges. But the complaint of the public has been that while Indian colleges are open to all classes of community residing in India including the domiciled community and some of which have taken benefit of aided colleges and have graduated themselves from these colleges, the doors of these European schools have been shut out to Indians and even those European schools which get grants-in-aid would admit limited number of Indian students. They will ask these students to pay double or treble the fee which is taken from Anglo-Indians or Indian Christians who have got European names. This is my chief complaint about these schools, and I have now got a promise that this complaint will be removed and there will be no bar in future for the admission of Indian boys. I thank the Hon'ble the Finance Member for giving that promise.

**The Hon'ble Sir John Maynard.**—I did not mean this. What I meant was that these Domestic Science classes in the Lawrence School, Ghoragali, are used quite equally for the teaching of Indian and European students. I did not say that the European School, Ghoragali, would in future be opened to Indian students on the same terms as to Europeans.

**Mr. Ganpat Rai continued.**—Now I feel that I was a bit wrong in my way of thinking. What we are told by the Hon'ble the Finance Member is that some classes of the school were open to Indian students and not the whole classes. Is it not inconsistent with the Reforms

under which this Council has been brought into existence that Indians are debarred from having the advantage of European schools if they so desire. I think time has come when European schools, which get grants-in-aid from the funds of this Province, should have no racial distinction; otherwise I do not think they are justified in getting grants from the funds of this Province. Had an assurance of this kind been given, I would have very gladly withdrawn my motion.

**Sardar Bahadur Sardar Mehtab Singh.**—The item for discussion before this Council is only of Rs. 8,000 which is not a big one, but the question involved is rather serious, being a question of principle. From year to year the Government will have to come before this Council and ask them to grant very big items in order to carry out the working of these schools. If we have really entered upon a new era, the Government should certainly come before this Council with principles which would please the Members of this Council in granting such items for Anglo-Indian and European schools. What has fallen from the lips of Sir John Maynard goes to show that, in spite of the assurance that new era has been opened out with these Reforms, there is not going to be a broader angle of vision so far as these schools are concerned. In these circumstances, it is the duty of this Council to ask the Government to make some sort of change in the policy and to allow the boys of those Indian gentlemen, who can afford to pay, to be educated in these European schools. It is a sort of invidious distinction that such big items are required for a European school of 250 boys and 150 girls, while the sons of Indian gentlemen, of however high status they may be, have to go to ordinary schools. I would, therefore, beg the Government to change its policy with regard to these schools and open their doors to the sons of Indian gentlemen who can keep their children in the same position as the children of European gentlemen are kept. It seems a pity that they should ask this Council to grant such heavy sums for the

education of European boys, while we are told that our sons cannot be admitted in those schools. We are the trustees of the funds of the Province and we certainly would be taken to task when we go out of the Council Chamber if we voted such big items for schools where our own boys could not get admission. I would, therefore, beg the Government to change its policy so far as these schools are concerned. It is a question of principle, and if from year to year we have to discuss this, there may be some unpleasant discussion. I know that it is a part of the Reserved subjects, and His Excellency the Governor can very well certify these items as urgent expenditure and the money will be spent. I do not think, however, that it would be very beneficial for His Excellency to certify this expenditure from year to year, if this Council is not going to grant it. With these few observations, I hope that Government will see its way to change its policy at least to a certain extent.

**The Hon'ble the President.**—The time allotted for this grant has already elapsed. If the Council wishes to discuss it further, perhaps the Government will take no objection.

**The Hon'ble Sir John Maynard.**—I have no objection.

**The Hon'ble the President.**—If the Hon'ble Member wishes to raise only the question of principle, to which reference has been made in the speeches, I think he has chosen the wrong item to raise it on. It has been explained that the money referred to in the motion before the Council will be spent on Europeans and Indians both. There will be no distinction. I suggest that the question of principle be debated on the next motion which deals with the contingent charges.

**Mr. Ganpat Rai.**—Sir, I agree with you, and ask for leave to withdraw my motion.

The motion was by leave withdrawn.

**The Hon'ble the President.**—The next item is that the grant of Rs. 1,41,152 for contingent charges be omitted. In order to raise the question of principle, I suggest that the Hon'ble Member should name a definite sum to be reduced.

**Mr. Ganpat Rai.**—Sir, I move that a sum of Rs. 1,000 be omitted from this grant.

**The Hon'ble the President.**—Now the motion before the Council is that the sum of Rs. 1,41,152 for contingent charges be reduced by the sum of Rs. 1,000.

The Council may assume that the speeches made on the question of principle on the previous motion have been made with regard to this motion.

**Sardar Randhir Singh**, who spoke in Urdu, opposed the motion of Mr. Ganpat Rai, and said that American missionaries had spent crores of rupees on the education of Indian children, and that it would not be proper if this Council refused to grant a small expenditure for the education of their children.

**Mr. K. L. Ballia Ram.**—Sir, I have listened to the interesting debate on this subject. I agree with certain of Mr. Ganpat Rai's remarks as regards his complaint with regard to European schools, but he forgets one thing, and that is, that the European schools have been started with a specific object. The Government have to provide and cater for their needs. I also cannot help remarking that we are very inconsistent. On the one hand, we want to nationalize our education, and this resolution is coming from the learned Mover; and, on the other hand, we want to send our boys to European schools which of course are entirely Western. Of course in doing so we all suppose that the instructions imparted by those schools is superior to that given in ordinary schools. That is why we want to send our children to European schools. I do not think at the same time that Indian children are

debarred altogether from these schools. So far as I know many schools have got the rule that 10 per cent. of the entire number should be Indians, and rightly so. Otherwise the desire on the part of certain class of people is so great that the schools would be overcrowded and they would be filled by Indians. What we want of course is that we should ask the Government to start schools in the hills, where we want to send our boys, chiefly to be educated on the same lines as the Europeans, *i.e.*, with the same grounds, good buildings, but a curricula of our own. Our experience has shown that our boys who go to the European schools forget their own ways, and at the same time they do not assimilate all that is required. If I had a son, I would hate sending him to a European school rather than educate him at all. The remedy lies not in cutting down this grant. We must remember that the European community is a part of the people here, and we must cater for their needs, and we must give them what they require and what they deserve.

**Rai Sahib Lala Thakar Das**, who spoke in Urdu, opposed the motion of Mr. Ganpat Rai. He urged that the European community had an equal right with Indians to have their children educated on their own lines. It was not right to draw invidious distinctions.

**Mr. G. Anderson.**—Sir, I just want to make a few remarks. The first is in regard to the matter of principle which has been raised by Mr. Ganpat Rai. I have a great deal of sympathy with what he said, but I submit that it is rather a wider question than Mr. Ganpat Rai feels that it is. European schools are not the only communal schools in the Province. There are others which serve in my opinion a most useful purpose. For example, there is this new Model High School for Girls in Lahore, which has just been started, and which admits only Sikh and Hindu girls, and there are other schools of a similar nature. I submit, therefore, that it would be a very



great pity to act in a hurry in this matter and to pass a resolution which would cut at the root of all these communal schools, to whichever community they may belong.

I want to make just one other remark in answer to my friend Mr. Rallia Ram who said that there should be a special type of school suited to Indian boys in the hills. There has been a proposal of this nature before Government for seven or eight years, and there have been certain difficulties in regard to the additional expenditure, but I can assure Mr. Rallia Ram that if he would care, or if any of his friends would care, to resume consideration of that question, Government, I am sure, would be only too willing to do so.

**The Hon'ble the President.**—I think it is now time to close the discussion. It is nearly half an hour beyond the time allowed by His Excellency for this grant. I will call upon Mr. Ganpat Rai to reply, and I shall be glad if he will do so in English, as he began, as it is a matter affecting the European Members in particular.

**Mr. Ganpat Rai.**—The objections which have been made against my proposal are, first, that there are Christian missionaries, Americans and others, who have opened their schools to Indians, and what would become of us if these schools shut their doors against us on grounds of racial discrimination and thus deprived us of the education which they give to our boys. This argument seems to me to be beside the point. My point is not that these schools should not exist, let there be by all means schools for Europeans, schools for Indians and schools for various communities; but let there be no ban, no prohibition on account of colour prejudice to prevent our boys from entering any school they wish to.

Another Member has said that my proposal is one for the separation of education, and that I am inconsistent when I say at the same time that our boys should

be permitted to enter European schools without prejudice. I do not know on what grounds he can affirm that I ever said that European schools should be separated that Indian boys should never go to such schools or to universities and public schools in England. This is begging the question, and the Member who made the remark did not understand me. He said that there is no objection to the admittance of Indian boys to European schools, but that a limit of 10 per cent. is usually placed upon such admittance. But there is no such limit in the more important European schools, nor there is any provision that they will admit Indian boys at all. In the school for which the grant is now asked there is no such limit.

It is said that schools similar to European schools should be started for Indian boys at a hill station, but as has been remarked by the Government Member, the Director of Public Instruction, the proposal requires a large amount of money, and I am sure that for a number of years to come it will never come into existence on account of want of funds. Then again it was remarked by one Member that we should give our boys Indian education, why should we send them to European schools when that education is not to our liking? I submit that there is no compulsion in the matter, but those who do desire to enter their boys in such institutions should not be prohibited from doing so.

Now, Sir, these are the principal contentions which have been advanced, but, Mr. President, the Members have not understood my purpose. I do not want to perpetuate separation between Europeans domiciled in this country and Indians. By having a prohibition against Indian boys entering European schools we are perpetuating race hatred. The object of the Government and of the Reforms Scheme is to unite and reconcile the different communities in India, but if there are going to be separate schools for Europeans and Indians, the boys will never get to know each other, and it is

not in the interests of the Government or of the people. I want to remove all this racial discrimination, I want to teach the boys to grow up as partners in a common Empire, and I do not wish to perpetuate a system which encourages feelings of hatred as between one community and another.

Having explained the objects of my motion, I hope that all the Members, including the Government Members, will recognize the principle for which I stand, and that in the near future steps will be taken to remove this racial bar.

**The Hon'ble Sir John Maynard.**—I presume this discussion has led to a certain amount of confusion as to the precise position of Europeans schools. There is, in reality, no racial distinction for admission to these schools. The fact is that all European schools are governed by a special Code of Rules under which they can admit only a limited number of students. To keep the number of students within the prescribed limit, Indian students cannot be admitted to them in large numbers.

The next point is as regards Lawrence School, Ghoragali, which is particularly the subject of this discussion of principle. As to that, I have no information for absolute certainty whether there are, or there are not, at present any Indian students in that school. There may be one or two or a few, but it is fair to draw the attention of the Members of this Council that those who desire to enter their children in European schools presumably have that desire because those schools are European schools. If by the general admission of different type of students these schools cease to be European schools, I presume that those Members, who desire to admit their children in the European schools, would cease to have that desire.

**The Hon'ble the President.**—The motion before the Council is that the grant of Rs. 1,41,152 for contingent charges (Lawrence School, Murree) be reduced by a sum of Rs. 1,000.

The motion was put to the Council and lost.

**The Hon'ble the President.**—The motion now before the Council is that a sum of Rs. 5,87,000 be voted on account of major head 31—Education (Reserved).

The motion was put to the Council and carried.

**The Hon'ble the President.**—Sir John Maynard, the Council votes you a sum of Rs. 5,87,000 under major head 31—Education (Reserved).

### EDUCATION (TRANSFERRED) GRANT.

**The Hon'ble the President.**—The motion now before the Council is that a grant of Rs. 78,55,000 be voted on account of major head 31—Education (Transferred).

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Sir, I beg to move that a grant of Rs. 78,55,000 be voted on account of major head 31—Education (Transferred) as follows:—

#### Minor head.

#### A—University—

	Rs.
Grants to Universities ...	3,85,000
Government Colleges—	
General ...	2,45,000
Government Colleges—	
Professional ...	1,40,000
Grants-in-aid to Non-Government Colleges ...	1,60,000

#### B and C—Secondary and Primary—

Government Schools—	
General ...	11,83,000
Grants-in-aid ...	39,46,000

#### D—Special—

Government Schools—	
Special ...	8,36,000
Grants-in-aid ...	51,000

#### E—General Expenditure—

Direction ...	1,01,000
Inspection ...	4,85,000
Scholarships ...	1,78,000
Miscellaneous ...	1,47,000

Total ... 78,48,000

Estimate of expenditure to be incurred in England... 6,000

GRAND TOTAL ... 78,55,000

Besides this, I may draw the attention of the Council to the fact that in preparing the Budget attention has been paid to the needs of rural education as well. A lump grant of 6½ lakhs has been made to the District Boards with the object of housing primary schools and some of the vernacular middle schools and Anglo-vernacular middle schools.

It has been said that a great deal of money is being spent on buildings. I suppose schools like the human beings have to be housed, but the expenditure that is now being incurred keeps in view the needs of strict economy, and I can assure the Council, Sir, that as a matter of fact our ideal is a sanitary, well-lighted cottage rather than a palace. It will also be noticed that primary education cannot be made general unless there are teachers available, and teachers cannot be made available unless there are a number of good middle schools because primary teachers are recruited from middle schools, and if there were no normal schools besides these middle schools, our primary schools would be in a bad way. It is after obtaining a certain amount of training that our Middle passed students and Matriculate students can turn out to be really successful teachers in primary schools. Thus it would appear that the problem of primary education will involve not only an increase in the number of primary schools, but also a considerable increase in the number of our middle schools and our normal schools. The expenditure under these three heads—Primary Education, Middle Education, and Normal Schools Education—is not all that it ought to be, but I can assure the Council that it is all that the present Budget admits it to be.

Then it will be noticed that the claims of female education, though not as well met as they ought to have been, are not ignored. We have made provision for aiding the District Boards and Municipalities in spreading the female education, and we realise that merely primary education for girls is not enough. It is high time that in this Province some

advance be made in the grade of secondary education for girls as well. Now, Sir, it is well-known that for secondary education, well-qualified school mistresses are required and are not forthcoming, and it is for this reason that we have found it necessary to lay the foundation of a girls' college, and it is here necessary for me to mention the fact that higher education of girls with the sole object at present of recruiting from amongst them teachers for secondary education has not been overlooked.

Then there is another silent portion of the citizens of the Punjab—I mean the agriculturists. Their interests have also been to a certain extent kept in view, inasmuch as we have kept apart a certain sum for agricultural education to be given in middle schools and in high schools. Members will find at page 74 of the Financial Memorandum that provision has been made for agricultural education. On the whole, Sir, I think, I can claim that no less than 20 per cent. of the revenues of this Province should be set apart for purposes of education. It will be noticed that this is not what has been secured, but I have not the slightest doubt that if this Council expresses himself on the subject in due course of time, efforts will be made to approach that standard, but that standard it will be no use to approach in the matter of Provincial revenues only. I, Sir, look forward to the Members of this Council, who represent rural interests as well, to exert their influence in their respective District Boards with the object of raising the percentage of money spent on matters of education.

With these few remarks, Sir, I introduce the motion for the Education Grant.

**The Hon'ble the President.**—I will take first the notice standing in the name of Diwan Bahadur Raja Narendra Nath—

“That under major head 31—Education the following item be omitted:—

A—University—Scheme for affording the educated classes in the Punjab facilities

for obtaining a greater insight into some of the methods of the present administration—Rs. 6,000 plus Rs. 10,000 : total Rs. 16,000."

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Sir, may I point out with reference to this proposal that it stands in need of being modified by excluding Rs. 10,000, with reference to which I place before you an amendment. This sum is to be utilized for the increase in the pay of the Oriental College staff.

**The Hon'ble the President.**—I cannot well accept this as an amendment. The proper course will be to accept Raja Sahib's motion as regards Rs. 10,000 and to put to the Council a supplementary item for the Oriental College staff. If this is not done, Members will be deprived of the opportunity of moving for the reduction of the item. On the other hand, if a supplementary estimate of Rs. 10,000 on behalf of the Oriental College staff is submitted, then it will be open to Members to give notice for a reduction if they so wish.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—I will arrange accordingly.

**The Hon'ble the President.**—The motion now is that a reduction of Rs. 6,000 instead of Rs. 16,000 be made.

**Diwan Bahadur Raja Narendra Nath** spoke in Urdu. He said that though the Government had undoubtedly been prompted by wisdom in including this item in the list of expenditure, he could not see that any good would result from it, as no success had been obtained from previous measures designed to provide facilities for obtaining an insight into methods of administration. In his opinion truly great things evidenced their greatness by their own intrinsic merits, and if the Government was in the main

good, its goodness would be apparent without the aid of explanatory lectures. This Council and its proceedings, if conducted in the promised spirit of reform, would be sufficient to illustrate in palpable form the just principles on which the British constitution was based. In view of these facts, he deprecated this expenditure and moved that it be omitted.

**Pir Akbar Ali.**—Sir, I oppose the motion, firstly, because such a training is essential for the youths who have, it may be, to occupy these very benches. Secondly, the younger generation is in the best position to study correct ideas of administration and the objects of Government, and in view of this such a training is most desirable. Thirdly, Sir, the lack of such desirable education was to a great extent responsible for the misguidance of the student community in the disturbances which all of us recently witnessed. And, therefore, to make them proof against any repetition of the same diseased ideas, this education will be very helpful. But I make bold to suggest in conclusion that the details be worked out by a committee nominated by the Members of this Council.

**Sayad Muhammad Hussain**, speaking in Urdu, said that he was not in favour of this innovation. He had in mind a similar venture, namely, the establishment of the 'Haq' newspaper which had been proved to be an organ of misdirection instead of help and guidance in understanding the aims and intentions of Government. He was afraid that the present proposal was also very likely to have a directly opposite effect to that intended. Any expenditure, therefore, on lectures or classes in this connection would be a waste of public money and he would accordingly cut it out.

**Mian Ahmad Yar Khan, Daulatana.**—I hope you will permit me to make some general remarks regarding this motion. So far as I have been able

to study the general feelings of the educated people I have had the honour to come in contact with, I have been impressed by one complaint. The education provided by the schools and colleges in this country has not hitherto furnished us with facilities for obtaining an insight into the general administration of this land. The utter inability to understand the method and scope of the administrative system of Government has led to many serious troubles. The chief among them has been our incapability to take an active part in the administration of our country. Another trouble caused by this deficiency has been the lack of interest and absence of confidence in the general administrative policy of the Government; and last, but not least, important effect has been this that the educated classes being ignorant of the principles and fundamental rules of our administration have become dissatisfied with the present form of Government, and have consequently fallen victims to the sugar-coated half-truths of the agitators. It is a patent fact that the Government have lost their confidence in the educational system, and views the activities of our educated classes with distrust and apprehension. By introducing this item in the Budget and providing for an institution that will help us in a better understanding of the administrative system the Government have supplied a much neglected want. I may be allowed to say that Government out of mere sense of duty and responsibility extended a hand of support and help to us. Should we refuse it? Should we keep on labouring under wrong conceptions of the administrative policy of the Government and misunderstandings given birth to by our ignorance and lack of interest in the principles that govern the administration of our country. I think no reasonable man will raise his voice against it. Up till now we have had no occasion to study the administration of the Government under which we live. The Government have kindly afforded us the opportunity of studying for ourselves the ruling principles that form the basis of the system of the Government. We

should welcome it, we should hail the opportunity and avail ourselves to the extreme limit of our capacity of this privilege. We should thank the Government for opening upon us the gates of knowledge of a system that has only been up to the present time no clearer than a myth. Therefore, I beg to oppose this motion and invite the co-operation of this Council in lending their support to the Government in a matter that aims at benefiting the general public at large by affording an insight into some of the methods of present administration to our educated classes.

**The Hon'ble Khan Bahadur Mian Fazli-Husain.**—I am afraid this very interesting discussion has been to no purpose. In the Budget, as originally framed, there was an item of Rs. 6,000 under this head. A similar item had been put in the current year's Budget and this is being utilized. In the Budget for the next year the item of Rs. 6,000 has come from the last year's Budget with an additional item of Rs. 10,000. The Financial Secretary informs me that the first item of Rs. 6,000 has been entered by mistake. As a matter of fact that Rs. 6,000 is included in Rs. 10,000. I intended to utilize this sum in its entirety, or in part for improving the pay of the Oriental College staff. The Financial Secretary now informs me that the Accountant-General considers that this item should go under the head Miscellaneous, and as a matter of fact it forms no part of my demand under discussion. Therefore, this motion can be discussed when the subject Miscellaneous is being discussed.

**Sardar Bahadur Sardar Mehtab Singh.**—How are we to understand this. The item was first shown under head Education, and Diwan Bahadur Raja Narendra Nath moved his amendment on it. After such a long discussion we are now informed that it should be taken up at some future date.

**Diwan Bahadur Raja Narendra Nath.**—Sir, this is a question of mere change of head. The discussion may be allowed to

continue, and the opinion now expressed may be treated for the purposes of that head when it comes up.

**The Hon'ble the President.**—When the question next comes up there need only be a formal motion on your part and you need not repeat your arguments at length. I cannot now allow the Council to discuss it any further as there is no demand for the grant. I disallow this motion on the ground that no demand is made.

**The Hon'ble the President.**—The next item is that under head 3:—Education—Government Colleges—General the grant of Rs. 3,825 for subscription to periodicals be reduced by Rs. 144.

**Mr. Ganpat Rai** (spoke in Urdu).—I wish that all of us may become pure-minded.

**Mr. E. A. Clark.**—Will he speak in English.

**The Hon'ble the President.**—He is entitled to speak in Urdu.

**Mr. Ganpat Rai** continued in Urdu.—I move that under head 31—Education—Government Colleges—General, the grant of Rs. 3,825 for subscription to periodicals be reduced by Rs. 144. What I mean to propose is that the *Civil & Military Gazette* should not be subscribed for by the Government Colleges of Lahore, Multan and Ludhiana. This paper generally writes articles which do not promote good-will between different classes of Indians and is, therefore, not worth reading by the students. I, therefore, propose that Rs. 144, being the annual subscription of this paper for the above three Colleges, be reduced from Rs. 3,825.

The speaker pointed out that the tone of the *Civil & Military Gazette* was also objectionable, in that it had questioned the conduct of Members in accepting the resolution on the Amritsar Indemnity.

**The Hon'ble the President.**—I do not want to bar any discussion of the policy of the *Civil & Military Gazette*. At the same time I must point out to the Hon'ble Member that the motion is merely to reduce the lump sum available for purchasing periodicals. If the Council should vote to reduce the amount as proposed, it would not necessarily follow that the *Civil & Military Gazette* would cease to be taken in.

**Mr. Ganpat Rai.**—The speaker again emphasized that the *Civil & Military Gazette* should be stopped in all Government Colleges.

**Chaudhri Muhammad Amin**, who spoke in Urdu, said that there was no doubt that the tone of *Civil & Military Gazette* was very objectionable, but he did not think it right to reduce this sum of Rs. 144, because that could not stop the *Civil & Military Gazette* being subscribed.

**The Hon'ble the President.**—I do not say that this discussion is as yet out of order, but it is on the border line, and in any case there is a danger in continuing it. If on a motion that a lump sum of Rs. 144 be reduced the policy of the *Civil & Military Gazette* can be assailed, then the policy of any other periodical which is paid for out of the lump sum can be assailed, and we may find ourselves embarked on a long and tedious debate. The time of the Council is strictly rationed, and I have to see that none of it is wasted.

**Chaudhri Muhammad Amin**, continuing, opposed the motion of Mr. Ganpat Rai to strike off Rs. 144, and urged that he should put in a resolution separately to stop the circulation of the *Civil & Military Gazette* in Government Colleges.

**Sardar Bahadur Sardar Mehtab Singh.**—Sir, the remarks which have fallen from your lips are no doubt very wise, but I think this Council is composed of Members who are after all human beings. The *Civil & Military*



*Gazette* should have some regard for their feelings. My friend has drawn your attention to a passage in the *Gazette*, but yesterday or the day before I myself saw the paper in which it has called the Members chatterboxes. That does not look very dignified for the elected or chosen of the people. While I do not wish to support my friend in the withdrawal of this item, I only wish to point out that the *Civil & Military Gazette* should have more regard for our dignity. We have the people of this Province at our back, and we can start a movement of some sort against the *Gazette*.

Mian Muhammad Shah Nawaz, who spoke in Urdu, opposed the motion of Mr. Ganpat Rai, and said that he would certainly deprecate the policy of the *Gazette*, but he thought it beneath the dignity of the Council to stop the entry of the paper into Government Colleges.

The Hon'ble the President.—Do you wish to reply, Mr. Ganpat Rai?

Mr. Ganpat Rai, who spoke in Urdu, said that he had been misunderstood by the speakers. His point was that the students should not have the opportunity of reading the paper, because that would tend to excite racial hatred amongst them. However, as desired, he would apply for leave to withdraw his motion.

The motion was by leave withdrawn.

The Council then adjourned at 1-30 until 2-15.

Council resumed after lunch.

The Hon'ble the President.—The next motion, before the Council is that under head 31—Education (Appendix E), item No. 3 'opening of a Government College for Women in Lahore,' a sum amounting to Rs. 26,000 be omitted.

Chaudhri Bans Gopal, speaking in Urdu, said that it must not be inferred from his motion that he was against the extension of education; his objection was

to the kind of education imparted in the existing schools. The existing system of education he felt was against the genius of the Indian people and was not conducive to their welfare. He thought it was doing more harm than good. The schools for girls and women had been modelled on the same pattern as those for young men, that is, on the University idea. University education in his opinion only fitted students for Government service, and the only alternative open to unsuccessful applicants was to go and sit at home. It besides costs a boy Rs. 30 to Rs. 40 per mensem. Girls were also being educated on the same lines, and in his opinion no benefit would be derived from it. That education should be given to girls was imperative, but the question was, of what kind. In his view the ideal education for Indian girls was that adumbrated by Mrs. Sarojini Naidu in a famous speech on female education, in which she said that it ought to be their aim to turn out not Leilas but Sitas, that is to say, women who would be competent housewives, good wives and good mothers. The present system of high school education for girls only succeeded in turning out women well versed no doubt in the arts and the fashions but sadly deficient in household knowledge, domestic economy and the care of children. Again, it did not appear to him that there was any general demand for the opening of a new Government College for girls; he opined that the proposal had originated with certain members of the University Governing Body only, and in his opinion it would benefit not the general public but a few wealthy people able to indulge themselves in this kind of useless education. There were already in Lahore two institutions of this kind, Queen Mary's College for Girls, for which Rs. 33,000 was provided, and the Victoria Girls' School, which received Rs. 26,000. These ought to be quite sufficient to meet such demand as existed for this kind of education. It had been urged by the Hon'ble Minister for Education that this new institution would also serve as a Training College for

women teachers, and that it was hoped to obtain through it many additional qualified mistresses who were urgently required. He did not think that any such result would follow, and all that the new College would do would be to turn out a greater number of well-educated women, educated that is to their own satisfaction, but of no use to the general community. He deprecated also any expenditure in this direction when the most important field of education, primary education, was so ill-provided for.

If the sum Rs. 26,000 was spent in opening primary schools in rural areas, it would be more useful, but if this sum was spent in Lahore, it would not be so useful to the general tax-payer. He thought there were 33,000 villages in the Punjab, but there were primary schools only in 4,000 villages. A Government College hostel would only add to the beauty of Lahore, but if this sum were utilized for opening primary schools, it would help to reduce the ignorance of the masses.

With these remarks, he moved his motion with the hope that the Members of the Council would support him.

**Mian Ahmad Yar Khan, Daulatana.**—I fail to understand the reasons that have been given by the Hon'ble Member in proposing such a motion. To ask the omission of an item that provides for the higher education of our women is anything but reasonable. The conception of such an idea in the twentieth century is unpardonable. During many previous discussions we have been singing the praises of education and expressing great hopes in the new administration for the betterment of our educational system. Am I to understand that the gentlemen of this Council were so selfish as to have neglected the education of women altogether? Was all this eloquence addressed to advocate the cause of men's education alone? If that is the case, then allow me to say that we have betrayed the trust of those who have with patience and expectation in their eyes looked

upon us for help. We have been unjust to our women for too long a time, we have trodden their rights too ruthlessly, and we have smashed their hopes too frequently. Should we go on pursuing this course of tyranny? Should we go on trampling over their rights? Should we fail those in their needs who have never failed us in ours? It is high time that we realised the dangers that await this suicidal policy. The whole world has become alive to the necessity and importance of female education, and we the representatives of the people of this country have allowed the proposal of the omission of a grant so generously sanctioned by the Government for the higher education of our daughters. If we passed this motion, shall we be able to show our faces to the civilised world? I have in a previous speech dealt with the question at length, and I do not propose to waste the time of the Council in defending a cause whose greatest defence lies in its just demand. About fifty years ago the question of men's education was discussed in a similar vein. There were people who upheld the cause of ignorance and discouraged our education by every means at their disposal. But more reasonable voices had an upper hand and the movement began. I would like to put one question to the Council. Have we benefited by education? The reply must be in the affirmative. But for this education we would not have attained to this stage of self-realisation. Should we deny this privilege to our women? Should we shut the doors of knowledge upon them and allow them, nay force them, to live as dumb animals of lower species and pass their days of existence?

Before I resume my seat with your permission, Sir, I will make a general remark about the motion in question and other motions akin to it. By studying the general spirit in which these motions are moved I am led to think that some of the Hon'ble Members instead of recommending an improvement in an administrative measure, which fails to meet their expectations or is not up to their standard of efficiency, try to omit it as a useless

item. This is not a wise practice at all. If such motions are carried, they will make either the governance of this Province on sound lines impossible or court a veto to discredit our sense of judgment in administrative affairs. Therefore, through you, Sir, I appeal to the sense of righteous judgment and duty of this Council who must keep the interests of the country paramount in their heads and hearts and should not be led away by half truths and prejudices to rise to the occasion and raise their unanimous voice against this most detrimental motion and help their country by voting this grant which have the welfare and progress of those in view who have every right to demand our sympathy and support.

**Maulvi Muharram Ali, Chishti**, who spoke in Urdu, said he had clearly discussed in his speech on the general discussion of the Budget the question of female education. He wanted to add that the system and nature of education were defective. This system of education had been found objectionable in the male sex, and it was to be specially deprecated in the female sex. He wanted female education to be purely religious and household. He strongly supported the motion of Chaudhri Bans Gopal.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain**, who spoke in Urdu, explained that the education imparted to women was purely of a household nature, e.g., sewing, cooking, etc., were taught. He said, Mr. Ganpat Rai would move a resolution to nationalize all educations, and if this resolution be carried, he would welcome the change and would see that it was properly adopted.

Continuing, he said, that it had been objected that there was no general demand for this College. It appeared to him, therefore, that Government was in a very difficult position. When a general demand rose to a pitch of universal agitation in any particular matter Government was criticised for not taking timely action to prevent the agitation; when, however, as now, they had taken action before agitation had materialized, it was said

that they should not do so because there was no forcibly expressed demand. Turning to another point, he wished to impress upon the Council that it was not the intention of Government to turn out highly educated but otherwise incapable women unfit to discharge domestic duties, but on the contrary to turn out good women, well educated, able not only to fulfil efficiently duties in the home but at the same time to be in intellectual fellowship with their educated husbands. He hoped, therefore, that the Members of the Council would sanction the expenditure on this scheme, and said that if any Member wished to bring to his notice any matter in connection with education generally, he was prepared at all times to give due consideration to any suggestions made to him.

**Mr. B. T. Gibson**.—I move, Sir, that the question be now put.

**The Hon'ble the President**.—The motion before the Council is that the question be now put.

**Mian Muhammad Shah Nawaz** rose to speak, and the President said that there could be no discussion upon a motion for the closure.

The motion for the closure was carried.

**The Hon'ble the President**.—The motion before the Council is that a sum of Rs. 26,000 on account of a Government College for Women in Lahore be omitted.

The Council proceeded to a division.

For the motion ... 19

Against the motion ... 27

Majority against ... 8

The motion was declared lost

**The Hon'ble the President**.—The next item is that "under head 81—Education (Appendix E), item No. 12, the grant of Rs. 1,50,000 for the erection of a Chemistry Laboratory in the Punjab University be omitted."

Mr. Ganpat Rai, in whose name this motion stood, said that he did not wish to move it as the Hon'ble the Education Minister had privately explained to him the necessity for this charge. The motion was accordingly dropped.

The Hon'ble the President.—The next item is that "under head 31—Education (Appendix E), item No. 18, the grant of Rs. 1,00,000 to the Punjab University for the erection of a hostel for the Law College and building for the Zoology Laboratory be omitted.

Mr. Ganpat Rai, speaking in Urdu, began to explain his reasons for bringing this motion before the Council...

Mr. Manohar Lal.—I rise to a point of order, Sir. Is it not necessary to move a motion before a Member proceeds to make a speech?

The Hon'ble the President.—The position is that, if a Member does not move the motion standing in his name, he can withdraw it on his own account; but if he moves it, he can only withdraw it with the leave of the Council.

Mr. Ganpat Rai.—I move it. Continuing to speak in Urdu, Mr. Ganpat Rai said that he considered that too much money was spent upon education in cities and higher education generally and far too little upon primary education in rural areas. He did not see the necessity of augmenting the already very large number of educational institutions and buildings in Lahore. The bulk of the revenue was derived from the rural areas, but those areas obtained the least benefit from it so far as education was concerned.

The money was received from zamindars, but their children did not get education. He did not ask that big schools should be started for the rural population, but what he wanted was that at least primary schools should be opened for them. He wanted Rs. 30 lakhs to be spent during the next year on the education of zamindar boys, but the Budget was a deficit budget, and if they did not cut down such like items, they

would not be able to spend any extra money for the education of rural population. With these remarks he moved that item No. 18 of Rs. 1 lakh be omitted altogether.

Sardar Kartar Singh.—Sir, Professor of Zoology has already been appointed by the University for a term of three years. It is an open secret to those who are interested in University education that Government College laboratories are not available to him. It is the sacred duty of this Council to observe the obligations of this nature incurred by the previous administration. We have got the professor without a laboratory. He is to assist, not the students of a particular College, but of all the Colleges. He is to carry on the research work in a branch which was the first to start this new idea of University education under the able direction of Colonel Stephenson whose research has raised the status of the Punjab University with men whose opinions on these matters carry weight.

Not to supply facilities to a professor would also discredit the University in the learned circle of which the present professor is a distinguished member. It is no use having a professor and not give him a laboratory. Since we are not touching his salary, we must give him a laboratory. Exception has also been taken to the building of a Law College hostel. It is generally the lawyers who understand the constitutional aspect of things, who are public spirited and can afford to look at matters from an independent point of view. More than half the education in an institution is always carried on in the corporate life of its hostels. In a place like Lahore it is not an easy matter to find convenient accommodation for the students. Law College also is one of the two University Colleges, and when the University rightly insists that the students of other colleges should be in proper hostels, it is necessary for the University to have a hostel for its own college. I understand that the University is paying about rupees eight thousand a year by way of hostel

rents which as a recurring expenditure is not in conformity with sound economics. Why not invest the sum required as capital expenditure and save this recurring expenditure? With these remarks I oppose the motion.

**Pir Akbar Ali** spoke in Urdu.—I hope that the Mover will not take it ill if I say that he is an enemy of the zamindars in the guise of a friend. Mr. Ganpat Rai said that in moving his amendment under discussion he was helping the zamindars, but I say that the Law College boarding-house will be very useful for zamindars who come to Lahore to study Law, and owing to want of a boarding-house have to put up in rented houses. We can cut down some unnecessary expenditure, but it will be unwise to disallow such an item which is mainly useful for zamindars.

**Rana Muhammad Jamil Khan** spoke in Punjabi.—Sir, I would bring to your notice that zamindars are very backward in education. It is mainly due to their illiteracy that they spend much of their time and wealth over litigation. It is, therefore, very necessary that large amounts of money should not be spent over buildings in big towns, but that money should be spent for the education of zamindar boys, as the greater part of the land revenue comes from agriculturists. The inhabitants of big towns are already sufficiently enlightened, and now Government should take steps to give education to the ignorant masses of the rural areas.

**The Hon'ble the President.**—It is now 3-30, the time fixed for the termination of this discussion. Does the Member for the University wish to speak?

**Mr. Manohar Lal.**—Sir, as I listened to the appeal of the Hon'ble Mover framed as an *argumentum ad hominem* to touch the minds of our rural friends for rural education, I listened in vain for any argument against the erection of a hostel for Law College or a building for the Zoology Laboratory for the Punjab University. As it has been pointed out

by one of the speakers, we as a matter of fact do possess a University Professor of Zoology without adequate laboratory arrangements for him, and that is enough answer on the merits of this question. So far as the motion before the Council is concerned, I would just like to say this that I did hope that University improvements would remain outside the contest of urban and rural issues particularly so, as it is owing to the advancement of education by the Universities that we see some of the best work achieved by our people. I need hardly refer to some of the largest benefactions of Bengal. I refer to the great names of Sir Taraknath Palit, and Sir Rash Behari Ghosh whose recent death the whole country is mourning. They chose the University of Bengal for their munificent and princely benefactions, particularly in the department of Science, and while we are making some feeble effort to work up our scientific department we expect the utmost support from this Council. Sir, further it is a matter of no small gratification to us—the people of this country—that it is in the laboratories that some of those great achievements are realised which have given India a status in the eyes of the world. If Bengal stands forth supreme among those who have produced some of India's greatest children, it is because of the great names of Sir J. C. Bose and Sir P. C. Ray. Shall we in this Province grudge the University a small sum in order that the sons of this soil may be trained along those lines of real usefulness and greatness, and true nation building can not be achieved if we grudge such small grants and make false appeals to urban and rural issues. I do hope that the Members of this Council will repudiate the implications that lie behind statements of this kind that grants of this character should be withheld and eventually utilized in the progress of rural education in this Province. It has never been asserted by any one that Government or any Member of this Council wants to stand in the way of rural education. It is certainly not the object of the University. The University is making the utmost effort so far as

it lies in its province, that primary education shall not suffer. The University comes into touch with it so far as it has to guide the work of teachers who have to undertake the work in the primary schools, and the University, I can assure this Council, has been recently engaged in overhauling, so far as it can, the whole curricula as regards the work of the teachers in Training Colleges. Sir, I would say that this is one of the very small efforts which the University is making, and I would ask the Members of this Council to give us all possible support—cordial support—in our endeavours to become a true teaching University. In a previous speech one of the Hon'ble Members in speaking said that education is going to lead us—or simply said has led us to self-realisation. I do not know how far this has been achieved. Certain it is that without the work of research carried on in our scientific laboratories the Universities undertake the rational self would not be worthy of realisation. The fight for our greatness has to be fought in no small measure in our scientific laboratories. I can say so, Sir, with all the more feeling that efficient laboratory arrangements are urgent, because my own education has been defective in that direction, and I realise the essential importance of the work that is being done there. I do not know whether the Mover of this resolution has ever been inside a laboratory. These laboratories are not exactly things which can be housed in huts, but so far as the University is concerned—if any assurance is necessary on my part, it can readily be given that we proceed in the actual work of erecting these buildings on the most economic lines possible—I would appeal that either the Mover would withdraw this motion or the Council would unanimously reject it.

**Chaudhri Muhammad Amin.**—I move, Sir, that the question be now put to the Council.

**The Hon'ble the President.**—The time allotted has elapsed, and the question has to be put.

**Mr. Ganpat Rai**, speaking in Urdu, said that what he wished to point out was that this project had emanated from the University, and whatever scheme that body propounded for the enlargement of its own functions must be viewed with suspicion. It had been said that education in every country was necessarily directed by Universities. This was perhaps well enough in the highly developed countries of Europe and elsewhere, where universal education was the rule. It did not, however, apply to India where education was confined to a few. It was perhaps natural that men who had benefited materially by a University education wanted to enlarge the activities of that body, but in doing so they were apt to forget the interests of the rural classes who were steeped in ignorance. What he desired was the spread of primary education in rural areas and he considered that the University could go on very well with what it already had...

**The Hon'ble the President.**—The Hon'ble Member must be as brief as he can. I have stretched a point in permitting him to reply, but he must not repeat his initial speech.

**Mr. Ganpat Rai**, continuing, said that he did not think the necessity for this expenditure had been established. It would be far more profitably employed in disseminating instruction in village schools.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain**, speaking in Urdu, said that there was really very little point in the whole of this discussion, which had originated only because some trifles had upset Mr. Ganpat Rai, and the time of the Council had been taken up needlessly for the best part of an hour. He regretted that there should be this constant suggestion that the interests of the rural and urban areas always clashed. The University catered not only for the towns but for the people in the country, and indeed almost every Member in the present Council representing the landed and rural interests had been through the University. In regard to this particular



item of expenditure, the hostel which they wished to provide was in point of fact meant more for the use of students coming from the mufassil than for local students, who had their homes to live in. The Zoology Laboratory was similarly meant to benefit not people residing in urban areas alone but all over the Province. He pointed out that the expenditure on the University proper was only 9 lakhs, while 61 lakhs were provided for all kinds of education in urban and in rural areas. The Council should bear this in mind. In conclusion, the Hon'ble Minister said that when he saw Mr. Ganpat Rai, himself a townsman and himself the product of the University, professing so great a regard for rural interests, he was reminded of a Panjabi saying to the effect that "the woman who professes to be more affectionate to a child than the child's own mother is a witch."

**The Hon'ble the President.**—The motion before the Council is that the sum of Rs. 1,00,000 be not granted on

account of the erection of a hostel for the Law College and a building for Zoology Laboratory.

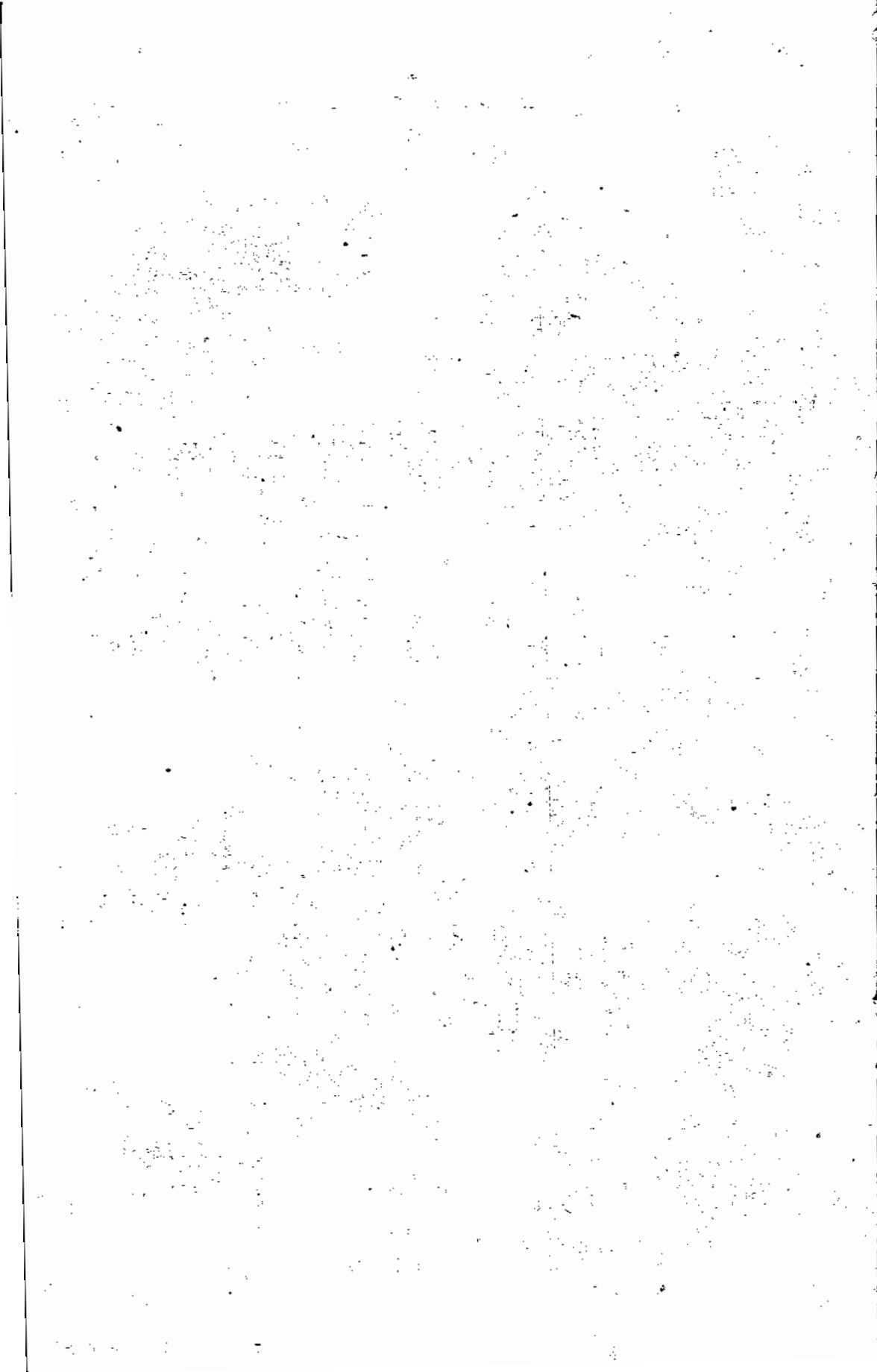
The motion was put to the Council and lost.

**The Hon'ble the President.**—The motion now before the Council is that a sum of Rs. 78,55,000 be voted on account of major head 31—Education (Transferred).

The motion was put to the Council and carried.

**The Hon'ble the President.**—Mr. Minister, the Council grants you a sum of Rs. 78,55,000 on account of major head 31—Education (Transferred).

**The Hon'ble the President.**—The Council will adjourn until 11 A.M. tomorrow. At 11 A.M. an election will take place for the Committee which is to be appointed to examine the Standing Orders. At 11-30 A.M. the ordinary business of the Council will commence.



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## PUNJAB LEGISLATIVE COUNCIL.

*Thursday, 10th March 1921.*

The Council assembled at eleven of the clock. The Hon'ble the President in the Chair.

### ELECTION OF MEMBERS TO SERVE ON THE STANDING ORDERS COMMITTEE.

The Hon'ble the President.—The Council will now proceed to the election of seven Members to serve on the Standing Orders Committee. The Secretary will distribute the ballot papers. On these the names of the candidates are shown in English and in Urdu. On the back will be found the instructions also in English and Urdu. Each ballot paper has a number corresponding to the counterfoil, which shows the name of the Member. The counterfoil will remain in the President's confidential box for the sake of secrecy. If any Member has any question to ask as to how to vote, I will gladly answer it.

The Members should place the Nos. 1, 2, 3, 4, and so on, as many as they like up to 15, in the space opposite the name of the candidate.

The Council was engaged for fifteen minutes in the filling up of voting papers.

### GOVERNMENT DEMANDS FOR GRANTS.

#### MEDICAL GRANT.

The Hon'ble the President.—The Council will now proceed to the discussion of the Government demands for grants, the first being the Medical Grant.

I should like to explain that, if Government raise no objection, we shall take up the Agricultural Grant as soon

as the discussion on the Public Health Grant is finished, that is, if there is still time to do so before the luncheon interval.

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain.—Sir, I beg to move that a grant of Rs. 22,42,000 be voted on account of major head 32—Medical and 47—Miscellaneous as shown in the following statement:—

Rs.

#### Head 32—Medical—

Medical Establishment ...	5,09,000
Hospitals and Dispensaries	10,97,000
Grants for Medical purposes ...	8,000
Medical School and College ...	4,21,000
Lunatic Asylum ...	1,52,000
Chemical Examiner ...	10,000
Total ...	21,97,000

Estimated expenditure to be incurred in England	27,000
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GRAND TOTAL ...	22,24,000
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#### Head 47—Miscellaneous—

Miscellaneous charges for treatment of patients at Pasteur Institute, Kasauli ...	18,000
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Total demand ...	22,42,000
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Members will have noticed that the summary of expenditure given at page 83 of the Budget Notes is a little bit

different from the statement which I have now placed before them. The difference consists of the following items:—

	Rs.
Under the head Medical Establishment an item of ...	1,63,000
Under the head Medical School and College an item of ...	12,18,000

These are the two items that have not been mentioned by me in the statement of demand placed before you, the reason being that these two items are not to be voted on.

Besides, it may have been noticed that under the head Medical School and College the original demand stood at an alluring figure of Rs. 10,39,000. It was reduced to Rs. 6,39,000, depriving this beneficent Department of four lakhs because of the indemnity paid for Amritsar. Details of the items that I have just mentioned are to be found at page 81 of Appendix D. It will be seen that in the Medical Establishment there is a certain increase. Then under the 2nd head Hospitals and Dispensaries there is a similar increase to be noticed. It is under the third head Medical School and College that certain amendments are put on the list for discussion. Two of them you have already noticed, and I do not think it will be necessary for me to dwell on them at present. Other items do not call for any particular explanation, but if any explanation is needed, I would be only too glad to supply it.

With these few observations, Sir, I trust that the grant that I have placed before the Council will be allowed.

**The Hon'ble the President.**—Chaudhri Bans Gopal will now move that under head 32—Medical, Appendix D, Grants-in-aid to the Northern India School of Medicine for Women, Ludhiana, Rs. 58,800 be omitted.

**Chaudhri Bans Gopal.**—Sir, my object in giving notice of this motion was

that, since we were starting with a deficit Budget, it would perhaps be better if we postponed the construction of the pathology block.

**The Hon'ble the President.**—The matter of the pathology block is not yet before the Council.

**Chaudhri Bans Gopal.**—I would like to take up both items together.

**The Hon'ble the President.**—They should be dealt with separately.

**Chaudhri Bans Gopal.**—I have now conferred with the Hon'ble Minister in charge of the Department, and I am assured that this grant is absolutely necessary for the maintenance of the Hospital. I do not therefore press my motion and beg leave to withdraw it.

**The Hon'ble the President.**—You do not move this motion.

**Chaudhri Bans Gopal.**—No, Sir.

**The Hon'ble the President.**—Then it is withdrawn.

**The Hon'ble the President.**—Will you now deal with your proposal that under head 32—Medical, Appendix D, a lump provision of Rs. 65,000 for the construction of a maternity and pathology block at the Punjab Medical School for Women, Ludhiana, be omitted.

**Chaudhri Bans Gopal.**—Sir, since a sum of Rs. 4 lakhs was provided for the construction of the Maternity Hospital and it has been cut off on account of the Amritsar indemnity, I withdraw this motion because I am assured that this is also absolutely necessary.

**The Hon'ble the President.**—The motion is withdrawn.

**The Hon'ble the President.**—There are no other motions pending with regard to this grant.

The motion before the Council is that a grant of Rs. 22,42,000 be voted under heads 32—Medical and 42—Miscellaneous.

The motion was carried.

The Hon'ble the President.—Mr. Minister, the Council grants you a sum of Rs. 22,42,000 on account of major heads 32—Medical and 47—Miscellaneous.

### PUBLIC HEALTH GRANT.

The Hon'ble the President.—The Hon'ble Minister for Education will move that a grant of Rs. 13,68,000 be voted on account of the major head 33—Public Health and 26—Police."

The Hon'ble Khan Bahadur Mian Fazal-i-Hussain.—Sir, I move that a grant of Rs. 13,68,000 be voted on account of the major head 33—Public Health and 26—Police under the following details :—

#### *Under head 33—Public Health—*

	Rs.
Public Health Establishments	2,67,000
Grants for Public Health purposes	7,49,000
Expenses incurred in connection with Bubonic Plague, Malaria and Epidemic	3,16,000
Bacteriological Laboratories and Pasteur Vaccine Institutes	20,000
<b>Total</b>	<b>13,52,000</b>

Estimate of expenditure to be incurred in England	11,000
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<b>Total</b>	<b>13,63,000</b>
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#### *Under the head 26—Police—*

Allowances to Police Station Muharrirs for registration of Vital Statistics	5,000
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<b>GRAND TOTAL</b>	<b>13,68,000</b>
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It will be noticed, Sir, that there are three heads under which the figures I have given differ from those appearing in the Budget provided to the Members. The first head under which there is a difference is the Public Health Establishment, there being an item of Rs. 55,000 which has not been included in my statement. Similarly under the head Expenses in connection with Bubonic Plague, Malaria and Epidemic, an item of Rs. 98,000 does not appear in my demand for grant, and again under the head Bacteriological Laboratories and Pasteur Vaccine Institutes, an item of Rs. 22,000 does not figure in my demand. In all, these three items amount to Rs. 1,75,000. It will be noticed that the total demand claimed under the Public Health is Rs. 13,52,000 and added to Rs. 1,75,000, which is not to be voted upon, it comes to Rs. 15,27,000, the figure which appears in the Budget supplied to the Members.

At this stage I need only make one or two remarks, Sir. It will be noticed that efforts are being made to bring rural areas under the guidance of the Sanitary Department. Efforts are also being made to get the water-logged areas placed in a better position than they have been ever so long. Efforts are being made by the Sanitary Board, which Board has drawn Rs. 5,97,000 to do a great deal in the way of improving the sanitation of the Province both urban as well as rural. I have noticed that there is an amendment with reference to this head 33—Public Health. Therefore any further remarks that I may have to offer to elucidate any point that arises in the speech of the Hon'ble Member who has to move that amendment, better be reserved, and at present I do not propose to take your time by dwelling on this subject.

The Hon'ble the President.—There is one motion for reduction before the Council, namely, that—

Under the head 33—Public Health the allotment for the Drainage Board

(i.e., Rs. 30,000) be reduced by Rs. 10,000.

Members will find the entry in Appendix E.

**Sayad Muhammad Hussain.**—Sir, my motive to put in this motion was not in any way to cut or curtail the figure, but to draw information as to how and where this sum of money will be spent, and to impress upon the Hon'ble the Minister for education that it will be more economic at this stage to employ Indians on the newly-created posts. If, however, he cannot secure efficient Indians on smaller salaries, I have no objection to the grant after hearing his explanation.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Sir, I am quite willing to allow this motion to succeed. I am prepared to reduce this grant by Rs. 10,000. But I would like to explain to the Member that the sum of Rs. 30,000 was provided with the object of helping the district from which the Member has been returned, and if this sum is reduced, the Member would clearly deprive his constituents of the benefit of the scheme. May I ask him, Sir, through you whether he wants me to reduce this amount.

**Sayad Muhammad Hussain.**—I never wanted to reduce the figure. I only wanted to draw the information.

**The Hon'ble the President.**—The Member must either move or not move his motion.

**Sayad Muhammad Hussain.**—Sir, I do not move any motion.

The motion was withdrawn.

The motion that Rs. 13,68,000 be voted on account of major head 33—Public Health and 26—Police was put to the Council and carried.

**The Hon'ble the President.**—Mr. Minister, the Council grants you the sum of Rs. 13,68,000 under major head 33—Public Health and 26—Police.

## DEMAND FOR AGRICULTURE.

**The Hon'ble the President.**—The Council will now proceed to deal with the demand for a grant for Agriculture.

**The Hon'ble Lala Harkishan Lal.**—I rise to move, Sir, that Rs. 26½ lakhs be granted to me for three purposes under general head Agriculture, sub-heads Agriculture, Veterinary, and Co-operative Movement. I want, Sir, under—

	Rs.
Agriculture	... 14,78,000
For Veterinary purposes	... 8,38,000
For Co-operative Movement	... 2,40,000

and to these three items have to be added Rs. 44,000 for expenses to be incurred in England, and Rs. 50,000 for the Director of Agriculture himself and his staff. The details of this demand are given on pages 96, 102 and 110 of the Budget and Appendix E attached to the Budget. All the various details of Establishment, Buildings, and of New Schemes are detailed there, and I need not take the Members over the ground again. Very likely they have read the figures and the heads under which they are required. I do not think, Sir, I need explain how very important Agriculture, Co-operative Movement and Veterinary efforts are for the good of the country and especially the countryside. If any Member wants any particular information on any of these heads as to how things are progressing and how far they have progressed, I shall be very glad to give that information; and with regard to figures I do not think I need elaborate them. There is no doubt I am aware of a few objections, but with regard to these objections I will simply remark in advance that my friend, the Mover of the amendment, from Montgomery has made two motions, and I do not think he need take the trouble of discussing them. The first on page 7 of Appendix E, he says against Rs. 42,000, Rs. 2,000 should be reduced. As a matter of fact, I do not want



Rs. 49,000. If he would refer to pages 6 and 7 of Table E, he will find that I want a much smaller sum. I want only Rs. 35,000. Even if I accept his motion, I shall be better off by another Rs. 2,000. So he need not take the trouble of moving that motion. He himself has explained to me that he has read the last column, while he ought to have read the first and second columns of my demand.

My demand consists of two items under columns 1 and 2 and not the items shown in column 3. If the Member will kindly take the trouble to read the Budget, he will see that this is so. Then, Sir, you will notice that under the head Cattle Breeding Expert Staff I want Rs. 27,000, and for a separate Inspector for Dhanni cattle-breeding I want Rs. 1,200. So my total demand under this head is Rs. 28,200, while Sayad Muhammad Hussain is willing to give me Rs. 40,000. I can only say that I am much obliged. As regards the motion of the same Member with reference to the first three items under Agriculture on page 6 of Appendix E which he totals to Rs. 27,000, I will reserve my remarks until he moves the motion. Then another Member, Mr. Bans Gopal says, that I want Rs. 1,23,000 for all the six items under Agriculture on the same page. But my demand is only for Rs. 62,000, so in this case he has been very good to me and I shall be quite satisfied if he will give me the sum I have asked for. Then Mr. Bans Gopal wishes to cut out an expenditure of Rs. 13,080 on account of additional appointments of a Veterinary Assistant and Inspectors. I want only Rs. 6,000, and so I hope we can easily come to a compromise in the matter.

It appears then, Sir, that I have been criticised simply for the sake of criticism, and I venture to think there is very little fault to be found with me.

The Hon'ble the President.—There are several notices with regard to this grant. I will take first that standing in the name of Chaudhri Bans Gopal, namely, that under the head 34—Agriculture the lump provision of Rs. 25,000 for a wheat

elevator be omitted. The item is to be found on page 99 of the Budget.

Chaudhri Bans Gopal.—Sir, I beg to move the motion which has just been read out.

I had occasion to read the *Punjab Gazette* and found mention made therein of this elevator which was described as a new machine to be erected for the benefit of the ordinary dealer in grain, and it was stated that elevator wheat would fetch a higher price in the English market than ordinary wheat. My opinion is that, if these elevators are to be erected and constructed for the benefit of the dealers in wheat, then this burden should not be put on the revenue and taxpayers of the Punjab. We do not want wheat to be elevated to such an extent as to cause the poor people to go hungry. I hope the Hon'ble Minister in charge of the Agricultural Department will explain what this wonderful machine is. If it is meant to be a storehouse for preserving the seed that is distributed through the Agricultural Department to the agriculturists in the Punjab, then I would like to withdraw my motion. But if it is not so, then I submit that this is an unnecessary item.

Mr. C. A. H. Townsend.—Sir, before I speak on this motion, I would like to say a word. Till a few minutes ago I had no information whatever that the agricultural budget was to be discussed this morning; I was under the impression that it was on the afternoon's agenda. I would request that as long notice as possible should be given of such changes.

The Hon'ble the President.—Notice was duly given to the Hon'ble the Minister for Agriculture and to the Revenue Secretary to Government. Further, by agreeing to move his motion for this grant before the time fixed, the Hon'ble Minister for Agriculture showed that Government was ready to meet all objections.

**Mr. C. A. H. Townsend.**—Sir, I welcome this motion. There is much lack of information as to what a wheat elevator is, and perhaps the Council will pardon me if I take a few minutes of their time in explaining what it is, and what we hope will be its ultimate result. Nearly every country in the world, that exports wheat to other countries, exports it in bulk and not in sacks: at present the only countries which export wheat in sacks on any considerable scale are Australia and India; and I do not think it is necessary to take up much of the time of this Council in pointing out the great waste of labour, time and money which is involved by this. I have myself seen in England big ships, with holds larger than this room, full of wheat being unloaded in a few hours by means of elevators and the connected machinery. Nor is this the only advantage they offer: wheat conveyed in bulk nearly always fetches a better price than wheat carried in sacks: it is cleaner, and even in quality. I have said that Australia exports wheat in sacks: it would be more correct to say she did so till recently: as, so impressed were the authorities in that country with the disadvantages of exporting wheat in that old fashioned method, that a few years ago they appointed a Commission to investigate the elevator problem all over the world. As a result of the report of that Commission, I understand the construction of elevators on a large scale is being undertaken in Australia, and the same is being done in South Africa.

The construction of elevators in India has been under discussion for many years: and a few years ago it was decided to build the present Lyallpur elevator. By itself, it is, of course, incomplete: it is only part of a chain, consisting of railway waggons to take it in bulk to Karachi port elevators, there to load it on to ships, which would take it in bulk overseas: but it is the first link of that chain, and we must complete it. And even it itself is not yet entirely finished. We are now asking for this small sum of money to enable us to buy some machinery

which will enable us to unload wheat from the elevator bins: at present we load wheat into them, but have no machinery for unloading from them. It is for this that Rs. 25,000 now in question are needed.

The Hon'ble Member appears to think that this elevator is meant only for the benefit of wheat dealers. I would point out that its sole object is to get better prices for our wheat producers and in the limited experience, we have had so far, of its working (we have been unable, owing to restrictions on export, to send a parcel of elevator wheat to Europe, and, till that is done, it cannot be said that a complete experiment has been made), I find that the wheat which has passed through the elevator has nearly always fetched four annas a maund more than best bazar wheat: this is because it is excellently cleaned, pure, and even in quality.

Eventually I hope to see elevators erected, not only at the terminal ports of Karachi and Bombay, and all through the Canal Colonies, but at places in India which themselves use much Punjab wheat, as Delhi and Calcutta: and all this, I feel confident, will contribute much to the material prosperity of the Punjab.

I trust that the Hon'ble Mover will see fit to withdraw his motion.

**The Hon'ble Lala Harkishan Lal.**—With your permission, Sir, I should like to say something in Urdu, so that the Members may understand what is meant by a wheat elevator.

He said that the wheat elevator was not a machine. It was a godown in which machinery was also provided. The godown constructed at Lyallpur could contain one lakh maunds of wheat. He further said that those godowns were very useful to zamindars. If a zamindar stored his wheat in the elevator, he would get a certificate from the Manager of the elevator that so much quantity of wheat belonging to that zamindar had been stored in the elevator. If the zamindar did not wish to sell his

wheat but stood in need of money, he could get a loan on that certificate from any Bank.

He also pointed out that when the wheat was entrusted by the zamindar to the Manager of an elevator, the zamindar was saved the trouble of protecting it from rain, etc. He explained the necessity of an elevator, and added that the elevator had already been provided, and this sum of Rs. 25,000 was required for establishment and other minor things.

**Chaudhri Bans Gopal.**—In view of the remarks made by the Hon'ble the Minister for Agriculture, I ask for leave to withdraw my motion.

The motion was by leave withdrawn.

**The Hon'ble the President.**—We will next proceed with item No. 2 under 34—Agriculture regarding statistical research by Mr. S. M. Jacob.

**Chaudhri Bans Gopal.**—On page 6, Sir, Rs. 15,000 are provided for statistical research by Mr. S. M. Jacob, I.C.S. Before moving, with your permission, Sir, I would like to know what this statistical research means. Then I would go further.

**Hon'ble Lala Harkishan Lal.**—Sir, I will explain that in various departments of Agriculture several statistics are collected almost continuously, but they remain where they are. In the *Panjab Gazette*, for example, changes of prices are given almost every fortnight. The rainfall statistics are collected every day. The prices, the wages and the agricultural produce are all tabulated, but whether they are useful to us or not has not yet been tested. Mr. Jacob, who was for a time officiating as Director of Agriculture, happens to be a specialist in Mathematics, and he gave some attention to this subject, and drew the attention of the Government that all the labour was being wasted until we utilized it. The Government has taken him at his word and deputed him on this statistical work. So far as Mr. Jacob is concerned this will

not benefit him at all; so far as the Minister is concerned, or the Director of Agriculture, it does not benefit us. These statistics might be of use hereafter as well as now, and if we postpone this research work, all the figures that we are collecting and have collected may be useless. After this explanation, I think, the Member may think it fit to withdraw his motion.

**Mr. Manohar Lal.**—After what the Hon'ble the Minister of Agriculture has said, I should like to know what good is going to accrue from this statistical research, and also the nature of the enquiry which Mr. Jacob intends to proceed with.

**Mr. C. A. H. Townsend.**—An eminent economist as he is, Mr. Manohar Lal knows, of course, that the foundation of Economics depends upon statistics. The Hon'ble Minister for Agriculture has explained the nature of the work that Mr. Jacob will do. I know of the state of our present statistics myself. I was for two or three years the Director of Civil Supplies in this Province, and during that time much labour was devoted by me to working out how much grain of every sort—particularly wheat—we had in this Province that could be safely exported to other Provinces. We always took the view that there was less grain in this Province than did the Government of India, and I made many journeys to Delhi, and had heated conversation with the representatives of the Government of India on that matter, trying to convert them to our point of view. They asked if my statistics were entirely right. I said I cannot claim that: though they were not entirely inaccurate, there was certainly room for improvement in them. One of Mr. Jacob's most important duties will be to suggest the steps necessary for such improvement, and also to show how we can make fuller use of the many statistics we collect: another will be to ascertain how much grain of every sort there is in this Province available for internal consumption, and how much we can reasonably spare for export—whether to other

Provinces of India or overseas. There is another point, Sir. If you get bad crops, high prices prevail; if you get limited rainfall, the area sown is diminished; and Mr. Jacob, I know, wishes to devote much of his time—if this money is given to him—to working out how all these factors are related to each other—prices, rainfall, outturns, exports and imports: what are known as their co-relations of co-efficiency. I do not think that any body can maintain that all these things are not of the most vital importance to all the people of this Province. To my mind many of the troubles we have had in this Province of late years were largely due to the very great rise in prices: and our troubles were increased by the fact that we had not sufficient material to explain fully to the people to what that rise in prices is due. This, I think, Mr. Jacob will enable us to do, should unfortunately similar seasons of high prices occur in future. Mr. Manohar Lal asks for more details as to his work. I have given him such information as I have. To a large extent this matter is one of Mr. Jacob's personal inclination: he will find his own salvation. But I do not think that I am taking too much upon myself when I say that I am quite certain that he will be only too glad of any advice that Mr. Manohar Lal or the Standing Board of Economic Enquiry of the Province of which Mr. Manohar Lal is a member may give him on his work. I trust, Sir, that these few words of explanation will suffice.

**Chaudhri Bans Gopal.**—In view of the explanation given by the Hon'ble Minister, I do not press my motion that the provision of Rs. 15,000 on account of statistical research by Mr. S. M. Jacob be omitted and ask leave to withdraw it. I only wish that Mr. Jacob may find pleasure in this prosaic task.

The motion was by leave withdrawn.

**Chaudhri Bans Gopal.**—I move, Sir, that the provision of Rs. 2,400 on account of an Assistant to the Agricultural Engineer be omitted.

I hope, Sir, that the Hon'ble Minister for Agriculture will explain whether the Agricultural Engineer had so much work that it is necessary to give him an assistant, just as in regard to the last motion it was explained that owing to the accumulation of arrears in the Statistical Department we stood in need of a Statistical Research Officer. So now I hope it will be possible to explain the absolute necessity of providing an assistant to the Agricultural Engineer, and that it will be shown that without this he will be unable to cope with his work.

**Mr. C. A. H. Townsend.**—Sir, I oppose this motion. I think that I shall be able to prove that we have a very strong case in this matter. We have for the last five years had an Agricultural Engineer in this Province—an eminent Engineer, Mr. Millar Brownlie. His duties, I should explain, are in connection with the improvement of agricultural machinery and agricultural engineering generally. He has, however, been very considerably handicapped during the war on account of the high prices of, and in many cases the absolute impossibility of getting at any price, machinery of any sort from other countries with which to conduct his experiments. Even so he has done valuable work. As to agricultural machinery, we have been for many years trying to persuade the people of this Province to adopt improved agricultural implements, and we had had very considerable success in this direction when the war broke out, and the prices of all these articles rose very considerably. Even now many of them are double the price they were before the war. The agriculturists of our Province like these things when they see them, but when they are told the price, they with one accord decline to buy them. We have therefore had to try and devise simpler and cheaper agricultural implements. At Lyallpur Mr. Roberts, late Professor of Agriculture, who is most unfortunately leaving us, in consultation with the Agricultural Engineer, devised a very cheap and effective wooden harrow, which is dragged over the ground by a pair of bullocks, especially over young

wheat, after there has been a shower of rain. It breaks up the crust of the earth and enables that shower of rain to benefit the crop for a very much longer period than it would otherwise do. These harrows cost only Rs. 14 each; and another great advantage is that they can be made up in any village by the ordinary *mistri* or *lohar*. There has also been devised by these two officers cheap drills with which cotton and maize can be sown, and these also are very promising. There are other branches of agricultural machinery on which the Agricultural Engineer is working; but what I wish to emphasise particularly now is that, when Mr. Brownlie comes back from leave, I am going to ask him to devote himself particularly—and I am going to ask Government to spend a considerable sum of money on this—to the putting down of tube wells in many parts of this Province. We get many requests from people for estimates of these tube wells. We have some data as to their cost, their capacity for irrigation, and the like; but we have not yet anything like as many data as I would wish for on the subject. I would like to get Government to sanction two or three lakhs of rupees to enable us to put down these wells in many dry parts of the Province. These borings will bring water to the surface—water which will be invaluable to the local agriculturists.

Many big tracts of land are lying uncultivated entirely owing to its absence. I think tube well irrigation should be very beneficial to the agriculture of this Province. When we do all this, we shall require the services of an Assistant Engineer, and it is for that reason that we ask for this not very large amount of money.

**The Hon'ble the President.**—Mr. Bans Gopal, are you satisfied?

**Chaudhri Bans Gopal.**—I beg for leave to withdraw my motion.

The motion was by leave withdrawn.

**The Hon'ble the President.**—Mr. Bans Gopal, will you now move that the provision of Rs. 6,720 for subordinate

staff for the Agricultural Department be omitted.

**Chaudhri Bans Gopal.**—Sir, I withdraw it.

The motion was withdrawn.

**The Hon'ble the President.**—Mr. Bans Gopal, will you now move 'That the provision of Rs. 10,000 for equipment of the rice farm at Kala Shah Kaku be omitted.'

**Chaudhri Bans Gopal.**—Sir, I do not move it.

The motion was withdrawn.

**The Hon'ble the President.**—Mr. Bans Gopal, will you now move 'That provision of Rs. 22,000 for the provincialization of the Zoo be omitted.'

**Chaudhri Bans Gopal.**—Sir, I do not move it.

The motion was withdrawn.

**The Hon'ble the President.**—The Council will now proceed with Sayad Muhammad Hussain's motion which is as follows:—

'That under head 34—Agriculture the item of Rs. 49,000, provided for the increase of establishment, be reduced by Rs. 9,000.'

**Sayad Muhammad Hussain.**—Sir, you will kindly excuse me if I am unable to understand this mysterious thing known as the Budget. It is very difficult to understand its appendices. My motive in putting this motion was to exercise economy as far as possible by employing Indians on these newly-created posts. If the Hon'ble Minister for Agriculture is prepared to convince the Council that so far as possible he will appoint Indians for these newly created posts, I shall have no objection to withdraw my motion.

**The Hon'ble Lala Harkishan Lal.**—I cannot undertake to employ only Indians. I should like to employ Indians as far as possible. But if I cannot get Indians of the same capacity as Europeans, I am sorry I will have to go outside the country. It is not with a view



to benefit Europeans but with a view to get the best advantage.

**Sayad Muhammad Hussain.**—I am satisfied with the explanation of the Hon'ble Minister for Agriculture, and I beg leave to withdraw both of these motions standing in my name, which are as follows :—

1. That under head 34—Agriculture the item of Rs. 49,000 provided for increase of establishment (including Cattle-Breeding Expert and Staff and an Inspector for Dhanni cattle-breeding) be reduced by Rs. 9,000.

2. That under head 34—Agriculture the lump provision of Rs. 27,000 for three Additional Deputy Directors, one Soils Physicist, one second Botanist, one second Agricultural Chemist, and Assistant to the Agricultural Engineer, and Subordinate Staff be reduced by Rs. 7,000.

The motions were by leave withdrawn.

**The Hon'ble the President.**—Mr. Bans Gopal, you have a similar motion to reduce the whole item. Are you satisfied with the explanation given?

**Chaudhri Bans Gopal.**—Yes, Sir; I withdraw my motion.

**The Hon'ble the President.**—Chaudhri Bans Gopal's motion—

That under head 34—Agriculture, Appendix E, item No. 8, appointment of an Imperial Cattle-Breeding Expert and his Staff amounting to Rs. 1,09,000, and item No. 15 lump sum for Additional appointments of Veterinary Assistants and Inspectors, Rs. 13,080, be omitted, is withdrawn.

**The Hon'ble the President.**—Now I will take the motion of Sayad Muhammad Hussain that under head 34—Agriculture the lump provision of Rs. 27,000 for three Additional Deputy Directors, one Soils Physicist, one second Botanist, one 2nd Agricultural Chemist, and Assistant

to the Agricultural Engineer, and Subordinate Staff be reduced by Rs. 7,000.

**Sayad Muhammad Hussain.**—I do not move it, Sir.

The motion was withdrawn.

**The Hon'ble the President.**—Now Mr. Bans Gopal, I will take your item which relates to the same matter. Do you propose to withdraw?

**Chaudhri Bans Gopal.**—Sir, I want to move it and perhaps I may withdraw it later on. The demand for Rs. 18,000 is for 3 Additional Deputy Directors of Agriculture, 1 Soils Physicist, 1 second Botanist, and one second Agricultural Chemist. So far, Sir, the ostensible advantages of the Agricultural Department have been to employ over 100 Matric. students in the Department and several other Indians in the higher grade of the service. But I would admit that expert and scientific knowledge for its own sake is good, but unless it is applied to the conditions of the country and proves to be of some practical utility to it, I would not like that we should pay so dearly for it. Whether the experiments conducted by Soils Physicist, Botanist and Agricultural Chemist have so far been of any advantage to the average agriculturists is a matter on which no light is thrown and the average agriculturists are in darkness. The only advantage has been the distribution among the agriculturists of good seed. I have had some talk with the Hon'ble Minister for Agriculture and he informed me that seed worth about 3½ lakhs was distributed among the agriculturists. I admit this advantage, but there is no other advantage. As to their practical utility I would, for the benefit of the Hon'ble Minister for Agriculture and Director of Agriculture, with your permission, read out a dialogue, published some years ago, between an England returned professor and his pupils. It will elucidate and illuminate the minds of the Members, Ministers and the Councillors.



(AN ENGLAND-RETURNED. AGRICULTURAL PROFESSOR AND HIS PUPILS.)

*Pupil 1st.*—Sir, is it time that we should sow paddy?

*Professor.*—Do not ask me that; you can inquire about it of a common cultivator. That is not a scientific question. I did not go to England, interview Mr. Gladstone, and study chemistry to be pestered with such petty matters. Bring soils and I shall analyse them for you.

*Pupil 2nd.*—I gave some the other day for the purpose of analysis.

*Professor.*—Yes, I found in them silica, alumina, vegetable and animal matter. Ask the cultivators of the country to come to me with specimens of soils, and I shall analyse them, for a reasonable consideration.

*Pupil 2nd.*—What will they gain by your analysis, Sir?

*Professor.*—That is, again a foolish question. They will gain knowledge. What is more valuable than knowledge itself?

*Pupil 2nd.*—You have analysed the soils that I brought; what are they fit for?

*Professor.*—Well, I have thrown them away after analysis.

*Pupil 2nd.*—I do not mean that. You have analysed the soil. What crops will grow best in them?

*Professor.*—That, of course, you must learn by experiments. First, you sow the lands with, say, paddy. If paddy fails, sow wheat. If it fails, sow sugarcane. And in this manner within the course of twenty to twenty-five years, you shall be able to know, of course, if you conduct your experiments with care, what your lands are fit for.

*Pupil 3rd.*—Sir, we have come here to learn. Some of us would like to learn how to grow tobacco, some to learn how to grow long-stapled cotton, and good tea. Some are for improving jute, and some sugarcane. There are others who are for

the improvement of silk, and some are for tussar lac and rhea.

*Pupil 4th.*—My ambition does not go so far. I would like to learn how to make my land yield more paddy, wheat pulses, &c., than it does now.

*Professor.*—Well, you mention crops which I have never seen in England, and some of them I have never heard of in my life. Neither the servants in England, nor men like Bright and Gladstone could give me any hint as to the existence of the crops you mention. I cannot call, therefore, all these crops respectable. If you want to learn from me how to grow any respectable crop, I can teach you how to grow Scotch beans and oats. I saw them grown in Scotland.

*The Hon'ble the President.*—Is the Hon'ble Member going to read the whole of the volume in his hand?

*Chandhri Bans Gopal.*—I am just going to finish it, Sir.

*Pupil 4th.*—Will you then let us know what you will teach us, besides the process by which soils are analysed?

*Professor.*—Well, if you want to know how to grow jute, and such other things, you can go and ask a common cultivator. But I shall teach you the curious process how the plant draws its moisture from the soil, and how the sap is beautifully carried through meandering veins. I shall explain to you how the leaves and flowers get their colour I shall.....

*Pupil 5th (suddenly appearing).*—The new plough that you gave me does not work.

*Professor.*—What, that splendid plough constructed on scientific principles designed after the model of the latest inventions in America?

*Pupil 5th.*—They are too heavy for the cattle to drag.

*Professor.*—Is that all? Then indent for a pair of bullocks from Ayrshire or Kentucky, and the plough will work beautifully.

*Pupil 6th.*—My father, Sir, has asked me to return you the harrow machine. He says that he prefers his 4-anna harrow to yours which, you say, is worth Rs. 25. The 4-anna implement works less effectually, but then it costs only 4 annas. We cannot afford to pay Rs. 25 for a harrow.

*Pupil 7th.*—Talking of implements, Sir, the winnowing machine is broken.

*Professor.*—Then have it repaired.

*Pupil 7th.*—They cannot repair it here.

*Professor.*—Well, then, in that case you must send it to England.

*Pupil 7th.*—My father says very hard things of you.

*Professor.*—What does he say?

*Pupil 7th.*—He says that you are a..... humbug.

*Professor.*—(Solus) I feel that I have yet something more to learn. I am extremely doubtful whether my pupils will stick to me to learn only vegetable physiology, and the analysis of soils!

Now, what I want Sir, is that all this knowledge, taking into consideration the conditions of the country and the condition of the average agriculturist, should be made a practical utility, and applied to the benefit of the agriculturists, and should not remain confined in the laboratories.

The Hon'ble Lala Harkishan Lal, who spoke in Urdu, said that sufficient measures were being taken to impress upon the zamindars the advantages of working their lands on a scientific basis. He explained the different experiments which were being carried on at Lyallpur and Gurdaspur, and that Deputy Directors and his Assistants were touring in the villages with a view to imparting practical knowledge to the zamindar community. He said he hoped that after this explanation, the Mover would withdraw his motion.

Chaudhri Bans Gopal.—Sir, I ask for leave to withdraw.

The motion was by leave withdrawn.

The Hon'ble the President.—There remains a motion that a lump sum of Rs. 13,080 for additional appointments of Veterinary Assistants and Inspectors be omitted.

Chaudhri Bans Gopal.—Sir, I do not move it.

The motion was withdrawn.

The Hon'ble the President.—Now the original motion is before the Council that a grant of Rs. 26,50,000 be voted under head 34—Agriculture and 22—General Administration.

The motion was put to the Council and carried.

The Hon'ble the President.—Mr. Minister, the Council grants you Rs. 26,50,000 under head 34—Agriculture and 22—General Administration.

Before we adjourn I should like to say that to-morrow is a very heavy day. There are very many notices in, and it looks as if the Civil Works grant will require much more time than has been allowed. If we do not take it up before 1 o'clock, we are hardly likely to be able to discuss what we have to discuss. I hope, therefore, that all Members will be ready to move their motions whenever they come up. In the same way I hope Members will be ready for the Industries grant whenever it is reached.

If questions are over early, as is possible, the Industries grant will be taken up at once.

The Council then adjourned until 10-30 on the 11th of March.

## PUNJAB LEGISLATIVE COUNCIL.

Friday, 11th March 1921.

The Council met at the Council Chamber at half-past ten of the clock. The Hon'ble the President in the Chair.

### QUESTIONS AND ANSWERS.

#### MEDICAL CERTIFICATES.

211. **Dr. C. A. Owen.**—Is it a fact that the countersignature on medical certificates issued by Registered Medical Practitioners has been done away with by other Governments like Bengal, Bombay, and Central Provinces? If so, will Government be pleased to take a similar action in this respect in this Province without any further delay?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Government has no information on the practices of other Provinces, and so at present has no reason to modify the orders now in force.

212. **Dr. C. A. Owen.**—Is the Government prepared to add a proviso to rule X of the rules regulating the grant of medical certificates to non-gazetted officers of Government, incorporated in Appendix XLV of the Punjab Medical Manual, to the following effect:—"In cases when a complaint is made against the decision of a member of the Standing Medical Board the case shall be examined by a special Medical Board, of which the said officer shall not be a member."

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Government accepts the suggestion.

#### SUBORDINATE EDUCATIONAL SERVICE.

213. **Mr. Manohar Lal.**—1. Is the Government aware that teachers in the Subordinate Educational Service have recently formed associations in a large

number of districts, and also for the Province as a whole, and they have passed resolutions calling attention to their present serious grievances?

2. Will the Government be pleased to state why time-scale has not been introduced in the case of the Subordinate Educational Service while it has been introduced in the Indian Educational and the Provincial Educational Services?

3. Is the Government aware that the recent organization of the system of District Inspectors of Schools has tended to the lowering of the status of the Head Masters and teachers of Government schools? Will the Government be pleased to state what steps it proposes to take to remove or minimise the evil effects of this tendency?

4. Will the Government be pleased to state what the highest grade of the Subordinate Educational Service is at present, and what it was before the revised scale?

5. Will the Government place on the table a statement showing average increased expenditure per head on account of salaries and allowances according to recent revision of scales in (a) the Indian Educational Service, (b) the Provincial Educational Service, and (c) the Subordinate Educational Service?

6. The Hon'ble Mr. Godley in his speech in the Punjab Legislative Council on the 13th March 1917 said—"For Government schools we want not merely an enhancement of the existing rates of pay in the various grades, but an increase in the number of the higher grades, so as to open up reasonable prospects of promo-

tion and also to make it possible for each school to have more graduates on its staff." Will the Government be pleased to state what has been done to increase the number of posts in the higher grades of the Subordinate Educational Service, in furtherance of the policy above outlined, according to the new scale?

7. Does the Government realise that the recent rise in the cost of living has pressed particularly heavily on the members of the Subordinate Educational Service?

The Hon'ble Khan Bahadur Mian Fazl-i-Musain.—1. Yes.

2. The introduction of a time-scale for a service over 1,000 in strength would have involved almost prohibitive expenditure. Moreover, the qualifications of the men recruited are so divergent and their rates of pay are so varied that a time-scale of all as one service would be inappropriate. Each of these grades is a time-scale in the sense that their incumbents have been allowed to count their

previous service for increments in the various revised grades or scales.

3. The matter is under consideration.

4. Rs. 200—10—250 (at present).  
Rs. 150—10—200 (before the recent revision).

5. Indian Educational Service, Rs. 96 on the average increase per head.

Punjab Educational Service,  
Rs. 183.

Subordinate Educational Service,  
Rs. 27.

Further particulars are laid on the table.

6. Twenty-three posts, which used to be in the Subordinate Educational Service, are now in the Punjab Educational Service.

7. Yes.

#### INDIAN EDUCATIONAL SERVICE.

<i>Old.</i>	<i>New.</i>	Rs.
Rs. 500—50—1,000 per mensem	Higher selection grade.	1,550—50—1,750 + O.S.A. 250.
	Lower selection grade.	1,250—50—1,500 + O.S.A. 250.
	Ordinary time-scale.	400—50—1,250 + O.S.A. 22-4-21.

#### PROVINCIAL EDUCATIONAL SERVICE.

<i>Old.</i>	Rs.	<i>New.</i>	Rs.
Higher section	... 400 to 700	Selection grade	... 650—30—800
Lower section	... 200 to 350	Ordinary time-scale	250—25—500/25—600

SUBORDINATE EDUCATIONAL SERVICE.

<i>Old.</i>		<i>New.</i>	
Anglo-Vernacular section—		Anglo-Vernacular section—	
	Rs.		Rs.
Class I	150—10—200	Class I	200—10—250
Class II	100—8—140	Class II	140—10—190
Class III	75—3—90	Class III	110—5—135
Class IV	55—3—70	Class IV	80—4—100
Class V	35—3—50	Class V	55—3—70
Clerical and Vernacular section—		Clerical and Vernacular section—	
	Rs.		Rs.
Class I	100—8—140	Class I	140—10—190
Class II	75—3—90	Class II	110—5—135
Class III	55—3—70	Class III	80—4—100
Class IV	35—3—50	Class IV	55—3—70
Class V	20—2—30	Class V	35—3—50

CLERICAL ESTABLISHMENT (DIRECTOR OF PUBLIC INSTRUCTION'S OFFICE).

<i>Old.</i>		<i>New.</i>	
	Rs.		Rs.
Superintendent	300—10—400	Superintendent	400—20—500
Class I	200—10—250	Head Assistants	250—10—350
Class II	125—5—150	Assistants	100—8—130/10—250
Class III	100—4—120	Do.	75—5—100/5—150
Class IV	80	Clerks	40—3—82/3—100
Class V	60		
Class VI	40		
Class VII	30		

CLERICAL ESTABLISHMENT (SUBORDINATE OFFICES).

<i>Old.</i>		<i>New.</i>	
	Rs.		Rs.
Class I	80—4—100	Head Clerks	75—5—100/5—125
Class II	60—4—80	Clerks	40—2—80/2—90
Class III	60	Do.	30—1—60/2—70
Class IV	50		
Class V	40		
Class VI	30		
Class VII	25		

## NOTE.—PAY PER HEAD.

Indian Educational Service	...	{	Rs. 946 according to new scale	}	Increase, Rs. 96.
			„ 850 „ „ old scale		
Provincial Educational Service	...	{	„ 472 „ „ new scale	}	Increase, Rs. 183.
			„ 289 „ „ old scale		
Subordinate Educational Service		{	„ 89 „ „ new scale	}	Increase, Rs. 27.
			„ 62 „ „ old scale		

## GOVERNMENT EXODUS TO HILLS.

214. **Mr. Manohar Lal.**—1. Will the Government be pleased to place on the table figures to the exact additional expenditure due to the Governments moving to the hills in the hot weather?

2. Is Government contemplating the reduction of this expenditure, and if so, will the Government be pleased to state how it proposes to carry it out, i.e., (a) how far by cutting down the period of residence in the hills, and (b) how far by reducing the number of Departments and establishments that at present migrate to the hills?

**Mr. C. M. King.**—1. It is regretted that an exact estimate of the additional expenditure incurred on account of Government's move to the hills during the summer months cannot be given, but judging from the actuals for the years 1918-19 a sum of Rs. 40,000 (round) appears to represent a fairly accurate estimate of the total annual cost involved.

2. As to the second part of the question, Government does not at present see its way to making any substantial reduction of this expenditure in the immediate future.

## MARTIAL LAW.

215. **Mr. Manohar Lal.**—Is Government aware that, during the days of Martial Law, books and other literary materials were removed by the Police from

the houses, among others, of those whom the Government of India has declared to have been improperly detained?

Will the Government be pleased to state whether these articles have been returned to their owners, and if not, why not?

**The Hon'ble Sir John Maynard.**—It is quite probable that books, etc., were removed by the Police, but Government has no detailed information.

If the owners of the books apply to the Local Government for their return, stating the facts connected with their removal, the Local Government will be glad to order their return to the owners.

## IMPERIAL INDUSTRIAL SERVICE.

216. **Diwan Bahadur Raja Narendra Nath.**—Will Government be pleased to state whether it is proposed to organise an Imperial Industrial Service. If so, how will its recruitment be made, and how many Indian officers will be appointed to it?

**The Hon'ble Lala Harkishan Lal.**—The question is under the consideration of the Government of India.

## MAYO SCHOOL OF ART.

217. **Diwan Bahadur Raja Narendra Nath.**—Has the attention of the Government been called to a note in the *Tribune* of the 18th February referring to a rumour about the appointment of



Vice-Principal in the Mayo School of Art? Is it true that it is contemplated to appoint a European whilst hitherto the post of Vice-Principal has been held by an Indian?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Government has noticed the note in question. The only question, however, that has been submitted to Government for consideration is the improvement of the status and qualifications of the post, and it has not yet been considered. In any case, the best qualified candidate will be appointed irrespective of race.

#### REFUND OF FINE IMPOSED ON EDITOR, PARTAP.

**218. Diwan Bahadur Raja Narendra Nath.**—Has the attention of the Government been called to a letter by the Editor of *Partap* published in the *Tribune* of the 16th February? Will Government be pleased to state if it is contemplated to refund the fine imposed on the Editor of *Partap*, and if not, what are the grounds on which his case is differentiated from that of the Editor of the *Tribune*?

**The Hon'ble Sir John Maynard.**—I am desired to invite attention to the reply given on the same subject to Lala Atma Ram, and to add that it is not possible for Government to explain its reasons for the exercise, or otherwise, of its prerogative in such cases.

**219 Lala Atma Ram.**—Has the attention of Government been drawn to a letter from Editor, *Partap*, under the heading "Where is Mine?" reported in the *Tribune* of the 16th February 1921?

Will Government be pleased to state whether Mr. Krishna, Editor, *Partap*, is one of those Martial Law convicts whose fines have been remitted?

If so, why has there been so long a delay in refunding the fine realised from him?

Will Government be pleased to state the names of the persons whose fines have been remitted, but a refund thereof has not yet been made?

**The Hon'ble Sir John Maynard.**—If Mr. Krishna is the same individual as Radha Kishen, who was convicted under rule 25 of the Defence of India Rules by a Martial Law Commission, the answer to the question is in the negative. There are no persons whose fines have been remitted, but not refunded.

#### SUBORDINATE EDUCATIONAL SERVICE.

**220. Pandit Daulat Ram, Kalla.**—Has Government seen the proceedings of the meeting of the Subordinate Educational Service held at Gujranwala on 26th December 1920? If so, what action has been taken on the recommendation made therein?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(a) Yes.

(b) The proceedings of the meeting of the Subordinate Educational Service, held at Gujranwala on 26th December 1920, were received after the Government had approved the revision. These proceedings will be taken into consideration when the next revision takes place.

#### TRAVELLING ALLOWANCE FOR MEMBERS OF THE PROVINCIAL CIVIL SERVICE.

**221. Pandit Daulat Ram, Kalla.**—Is it a fact that the Superintendents of Post Offices and the Assistant Engineers are classed as first class officers for the purpose of travelling allowance?

If so, will the Government treat the members of the Provincial Civil Service similarly?

**Mr. C. M. King.**—The answer to the first part of the question is in the affirmative. In the Provincial Civil Service those drawing over Rs. 500 per mensem or holding "listed" appointments are at present first class officers for the purpose of travelling allowance. It is not at present intended to treat the remaining members of the Provincial Civil Service as first class officers.

## PHYSICAL EDUCATION IN SCHOOLS.

**222. Pandit Daulat Ram, Kalra.**—

Is it a fact that all that the Government spends on Physical Education in the Government schools is the monthly pay of a drill master, and the pupils have to pay a fee for purchasing the sporting gear? If so, is Government aware that the sports fee is insufficient to meet the expenses of providing games material for all the boys in a school, and will the Government supplement the sports fund from Provincial revenues where necessary?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Besides the pay of the drill instructor, Government pays one-third of the pay of the Adviser in Physical Education to the Education Department, Punjab.

It has not been brought to the notice of Government that the funds collected for sports are inadequate for that purpose.

## JUDICIAL POSTS FOR THE BAR.

**223. Pandit Daulat Ram, Kalra.**—

In view of the recommendations of the Public Services Commission that members of the Bar be taken as District Judges, will the Government consider the claims of those gentlemen in the Provincial Civil Service who hold the Law Degrees, but for taking up service should have been practising lawyers at the Bar?

**Mr. C. M. King.**—The claims of members of the Punjab Civil Service recruited from the Bar for appointment to the District and Sessions Judgeships reserved for the Bar have already been considered. It has been decided that selections for these appointments will be made only from amongst practising lawyers.

## MAHANT BASHESHAR NATH.

**224. Pandit Daulat Ram, Kalra.**—

1. Is it a fact that an enquiry has been held into the conduct of Mahant Basheshar Nath of Gurdaspur?

2. If so, what was the result of the enquiry, and what action does Government propose to take?

3. Will Government lay on the table the papers relating to the enquiry?

**The Hon'ble Sir John Maynard.**—

1. Yes.

2. The charge was found to be baseless. Government does not think further action necessary.

3. Government does not propose to lay the papers on the table.

## JUNIOR ANGLO-VERNAACULAR TRAINED TEACHERS.

**225. Mr. Manohar Lal.**—Will the Government be pleased to give the following information:—

(a) The total number of Junior Anglo-Vernacular trained teachers that have passed from the Central Training College during the last three years?

(b) The number of such teachers that are required annually according to the Department of Public Instruction for the present needs of the schools in the Province?

(c) Whether the Government has under contemplation any matured plans for extending training facilities for this class of teachers?

(d) When is the proposed Training College for the Junior Anglo-Vernacular Teachers to be opened?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(a) 107 males and 13 females.

(b) Inquiries are being made and information will be given later.

(c) The answer is in the affirmative.

(d) When a suitable building is available. Government is unable to build the proposed college at Jullundur next year as the grant of one lakh for the purpose has been removed from the

Budget in consequence of the decision of the Council in regard to the Amritsar indemnity.

## COMMERCIAL AND TECHNICAL EDUCATION.

226. Mr. Manohar Lal.—(a) Is Government aware that there is persistent demand by the public and supported by the University for the provision of efficient commercial and technical education in the Province?

(b) Is the Government aware that the Commercial Institute recently established at Lahore is (1) inadequately equipped, and (2) makes no provision for the completion of the education of those who take a diploma?

(c) Will the Government be pleased to state what improvements it has in contemplation for the Commercial Institute and the extension of commercial education in the Province?

(d) What steps does the Government propose to take to forward technical education in the Province?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—(a) Yes, but the attendance at the commercial classes in high schools is somewhat disappointing.

(b) (1) Yes, but additions have recently been made to the library and to the boarding-house accommodation.

(2) Yes, but the diploma does not admit to a degree course of the University.

(c) and (d) These matters are under consideration.

## FREE RESIDENTIAL QUARTERS FOR TEACHERS.

227. Mr. Manohar Lal.—Will the Government be pleased to state whether it is intended, according to the proposal of the Provincial Association of the Subordinate Educational Service teachers, to make provision for free residential quar-

ters for the members of this service, or provide any allowance in lieu of these quarters?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—I would draw attention to the answer already given to Pandit Daulat Ram Kalia's question No. 57 on 24th February 1921, which was as follows:—

“With a view to ameliorate the condition of teachers in the Education Department their scale of pay has only recently been revised, and no further action is at present contemplated.”

## VACATION FOR GOVERNMENT SCHOOLS.

228. Mr. Manohar Lal.—Will the Director of Public Instruction be pleased to state whether he is considering the proposal for a full two months' summer vacation for Government High Schools?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—No such proposal is at present under consideration.

## TAHSILDARS IN RAWALPINDI DIVISION.

229. Rai Sahib Sardar Harnam Singh.—Will Government please lay on the table a statement showing the names, religion, and educational qualifications of Tahsildars in the Rawalpindi Division?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—The following printed statements have been laid on the table:—

(1) Distribution list of Tahsildars and Naib Tahsildars in the Rawalpindi Division, corrected up to 1st January 1921.

(2) Seniority list of Tahsildars in the Punjab, corrected up to 1st January 1921.

These lists show the names and religion of Tahsildars, as well as their University degrees, if any, and the extent to which they are acquainted with English.

It will appear from the first list that in the Rawalpindi Division there are 21 Tahsildars, of whom 13 are Muhammadans, 4 are Hindus and 4 are Sikhs, and 31 Naib Tahsildars, of whom 21 are Muhammadans, 9 are Hindus, and 1 Sikh.

the educational qualifications, the creed, and the names of those Tahsildars who have been recommended for Extra Assistant Commissionership since 1913 from the Rawalpindi Division?

**230. Rai Sahib Sardar Harnam Singh.**—Will Government be pleased to give

**Mr. C. M. King.**—A statement giving the information asked for is laid on the table.

## STATEMENT.

Name.	Religion.	Educational qualifications.	Date of acceptance on Financial Commissioner's register.	Date of appointment as Extra Assistant Commissioner.
1. Sheikh Shah Nawaz ..	Muhammadan ...	B.A. ...	25-4-13 ...	1-4-19.
2. Khan Sahib M. Sher Ali Khan.	Ditto ...	Entrance ...	28-4-14 ...	11-10-18.
3. M. Harbel Singh ...	Sikh ...	Ditto ...	Ditto ...	28-10-18.
4. Chandhri Sardar Khan	Muhammadan ...	F.A.	Ditto ...	10-9-18.
5. Khan Sahib M. Muhammad Akram.	Ditto ...	Entrance ...	19-5-15 ...	1-4-19.
6. Lala Mahesh Dase ...	Hindu ...	Ditto ...	22-4-18 ...	11-6-20.
7. M. Riaz-ud-din ...	Muhammadan ...	Ditto ...	Ditto ...	...
8. Lala Prithvi Chand	Hindu ...	Ditto ...	4-7-18 ...	28-9-20.
9. Pir Haidar Shah ...	Muhammadan ...	F.A. ...	30-4-19 ...	...
10. M. Gul Nawab Khan	Ditto ...	B.A., LL.B. ...	14-7-20 ...	...

**231. Rai Sahib Sardar Harnam Singh.**—Is it a fact that no Sikh Tahsildar had been recommended for Extra Assistant Commissionership since 1913 from the Rawalpindi Division in spite of the fully qualified candidates being available?

printed statements\* have been laid on the table:—

**Mr. C. M. King.**—The answer is "No."

**232. Rai Sahib Sardar Harnam Singh.**—Will Government be pleased to give the total number of candidates, with their respective religion and creed, for Tahsildar and Naib Tahsildarship in the Rawalpindi Division?

(1) List of candidates for the post of Tahsildar, corrected up to 1st January 1921.

(2) List of candidates for the post of Naib Tahsildar in the Rawalpindi Division, corrected up to 1st July 1920.

The first of these lists will be found at the end of the seniority list of Tahsildars. The second will be replaced by a list corrected up to 1st January 1921 as soon as it is printed.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The following

It will appear from the first list that in the Rawalpindi Division there are 6 Tah-

\*Statements not printed.

sildar candidates, of whom 3 are Muhammadans, 2 are Hindus and 1 is Sikh, and 27 Naib Tahsildar candidates, of whom 17 are Muhammadans, 7 Hindus and 3 Sikhs.

### A CHIEF COURT RULING ABUSED.

**233. Pandit Daulat Ram, Kalia.**—Is Government aware that several Muhammadan wives in the Sialkot District got their marriage dissolved by becoming Christians and again came back to their former religion and married new husbands, and that by doing so they took an undue advantage of the Punjab Chief Court Ruling No. 85 P. R. of 1906? If so, will Government take steps to introduce legislation to stop such *malafide* dissolutions of marriage?

**The Hon'ble Sir John Maynard.**—Government has no information on the subject raised by the questioner, but will make enquiries. The question of the introduction of legislation on the point is, however, for the Muhammadan community to consider through their representatives on the Councils.

### TRAVELLING EXPENSES FOR PERSONS SENT FOR BY POLICE.

**234. Pandit Daulat Ram, Kalia.**—Is there any provision by which persons sent for by the Police in the course of investigating cases can get their travelling and diet expenses? If so, have any such payments been made during the year? If not, will Government be pleased to invite the attention of the Police to this?

**The Hon'ble Sir John Maynard.**—There are no rules dealing specifically with the subject of payment of travelling and diet expenses of persons sent for by the Police engaged in the investigation of cases. It is a frequent practice to pay necessary expenditure incurred in the investigation of cases, which cannot, under

existing rules, be recovered from the Courts from the head "Police Rewards." The total amount of such payments for this purpose during the past year could only be ascertained with an amount of trouble which does not appear, in the circumstances, to be justified.

### MAHANT OF NANKANA SAHIB.

**235. Lieutenant Sardar Raghbir Singh.**—(a) Was Government aware that the Mahant of Nankana Sahib was preparing with arms to attack the Sikhs?

(b) If so, what steps did Government take to prevent it?

(c) If not, what are the reasons for it?

**The Hon'ble Sir John Maynard.**—(a) Government was not aware that any person at Nankana Sahib was preparing to make an attack upon any other person. But the Mahant had communicated to Government his apprehension that he would be attacked. Nothing occurred which could suggest any intention on the part of the Mahant to attack other persons.

(b) and (c) After receipt of this communication from the Mahant Government adhered to the policy which it had laid down for itself in connection with the recent disputes regarding the management of Sikh shrines.

Briefly, this policy was to maintain an impartial attitude, while making it clear that the Courts are open to any person who invokes their assistance by applying for action under section 107, Criminal Procedure Code, or otherwise, and to be prepared to give police assistance to private applicants, only if they expressed readiness to pay the cost of it.

**236. Lieutenant Sardar Raghbir Singh.**—(a) Was it not the duty of the Criminal Investigation Department to report to the Government about the secret preparation of the Mahant?

(b) If it was reported, what action did Government take to safeguard the lives of so many killed?

(c) If the Criminal Investigation Department did not report, would Government be pleased to ask for their explanation?

**The Hon'ble Sir John Maynard.**—(a) It is not the duty of the officers of the Criminal Investigation Department to make reports on matters other than those which are specifically made over to them for investigation. All events of importance are recorded in the diaries of the District Police Officers. It is not known what the enquirer means by secret preparations. But it was known that the Mahant had taken certain measures, apparently to defend himself against attack. For instance, he had made spy-holes in the doors of one gate and had strengthened the gates of the enclosure. No recent addition, so far as is known to Government, had been made to the arms licenses held by the Mahant or his followers.

(b) The information in the possession of Government indicated an intention on the part of the Mahant to prevent the shrine and its enclosure from being rushed by an attacking party. The measures taken did not indicate any intention on his part to attack others.

**237. Lieutenant Sardar Raghbir Singh.**—(a) Would Government inform the Members the distance between the sacred shrine of Nankana Sahib and the nearest Police Station?

(b) Did Police give any help?

(c) At what time Police got to that scene. If not, would Government be pleased to ask for their explanation?

**The Hon'ble Sir John Maynard.**—(a) Nine miles.

(b) The Police did not arrive until the tragedy was complete.

(c) The Police, including the Sub-Inspector of the nearest station (Warbur-

ton) who had been on leave and the Sub-Inspector of Mangtanwala (a more distant station), arrived early in the afternoon. The Deputy Commissioner arrived somewhat before noon.

### CASUALTIES AT NANKANA SAHIB.

**238. Lieutenant Sardar Raghbir Singh.**—Would Government be pleased to inform the Members the number of people having been killed at Nankana Sahib.

**The Hon'ble Sir John Maynard.**—As far as can be ascertained the number of those killed is 130.

### SECOND CLASS TICKETS FOR BRITISH AND INDIAN SOLDIERS.

**239. Lieutenant Sardar Raghbir Singh.**—Would Government be pleased to inform the Members from what rank the British and Indian soldiers are being given 2nd class tickets (or passes)?

**The Hon'ble Sir John Maynard.**—The information is given in paragraph 158 of volume X of Army Regulations, India, a copy of which is laid on the table.

### DISPENSARIES IN RURAL AREAS.

**240. Lieutenant Sardar Raghbir Singh.**—(a) Would Government be pleased to inform the Members the number of dispensaries in the rural areas of each district in the Punjab?

(b) If this number is not sufficient, what steps Government proposes to take to meet the necessary demands?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(a) The location of every dispensary in every district of the Province can be seen by a reference to Statement II of the Triennial Report of the Working of the Charitable Dispensaries in the Punjab. The last copy was published in 1920, and is procurable from all agents for the sale of Punjab Government publications.



(b) The number is not sufficient, and new dispensaries are opened as funds allow.

### RESULT OF THE ELECTION FOR THE STANDING ORDERS COM- MITTEE.

**The Hon'ble the President.**—Before proceeding with the business of the day I have to announce the result of the election for the Standing Orders Committee. The result is as follows:—

1. The Hon'ble Khan Bahadur Mian Fazl-i-Husain.
2. Sardar Kartar Singh.
3. Mr. E. Joseph.
4. Diwan Bahadur Raja Narendra Nath.
5. Sayad Muhammad Hussain.
6. Khan Bahadur Diwan Abdul Hamid.
7. Mian Muhammad Shah Nawaz.

I declare these candidates to be successful.

### COMMITTEE ON PUBLIC ACCOUNTS.

**The Hon'ble the President.**—I have received intimation from His Excellency the Governor that the Committee on Public Accounts, to be constituted under rule 33, will consist of 17 members, of whom 12 will be elected by the non-official members of this Council according to the principle of proportionate representation by means of the single transferable vote. Nominations should reach the Secretary's office before 3 p.m. to-morrow, Saturday, the 12th. The nominations, as before, should show proposer and seconder. The Member nominated should signify his acceptance of the nomination.

### SUPPLEMENTARY SCHEDULE OF DEMANDS BY GOVERNMENT.

**The Hon'ble the President.**—I have received a supplementary schedule of demands of the Punjab Government for the year 1921-22 amounting to some Rs. 6,00,000. I am having the demand printed and it will be circulated to Members as soon as it is ready. I propose to submit this to the Council on the 19th at 10-30 A.M. There are no questions for the 19th and the time from 10-30 to 11-30 is vacant. When Members receive copies of the supplementary demand they should hand in any notice they wish to give in the same way as they have done before.

### ADJOURNMENT OF THE COUNCIL.

**The Hon'ble the President.**—I have received a communication from Pandit Daulat Ram, Kalia, in which he begs leave to move the adjournment of the Council to discuss a matter of urgent public importance, namely, the molestation of women and other acts of lawlessness said to have been committed in the Sheikhupura District subsequent to the 20th February 1921, and the taking possession of a *gurdwara* at Lahore by a *Jat* by force.

It is not in order for the Hon'ble Member to raise two questions on one motion. He should take his choice between the two. The rules provide that not more than one matter can be discussed on the same motion, and that the motion must be restricted to a specific matter. Will the Hon'ble Member please take his choice?

**Pandit Daulat Ram, Kalia.**—I will take first part of the motion.

**The Hon'ble the President.**—The Hon'ble Member asks leave to move the adjournment of the Council to discuss the molestation of women and other acts of lawlessness committed in the Sheikhupura District after the 20th February 1921.

(At this stage the Hon'ble the President asked the Members, who wished to have a discussion, to stand in their places, and 35 Members stood up.)

**The Hon'ble the President.**—Thirty-five Members have stood in their places. Under the rules 40 Members are necessary. The Hon'ble Member is not granted the leave of the Council.

## DISCUSSION ON GOVERNMENT'S DEMANDS FOR GRANTS.

### INDUSTRIES AND SCIENTIFIC DEPARTMENTS (TRANSFERRED) GRANT.

**The Hon'ble the President.**—The Council will now proceed with the discussion of Government's demands for grants.

The first item is the Industries grant (transferred).

**The Hon'ble Lala Harkishan Lal.**—Sir, I beg leave to ask for a grant of Rs. 6,49,000 under heads No. 35—Industries and 30—Scientific Departments. The details of this grant the Hon'ble Members would find at page 111 and onwards of the Budget and table E of the Appendix. They will find that the main items, as detailed in the Budget, consist of—

Rs.

Development of Industries	...	1,27,000
Mayo School of Arts...		84,000
Fisheries	...	45,000
Proposed Technical College at Mughalpura	...	2,10,000
Model Dyeing School...		75,000
Lahore Museum	...	14,000

Sir, the subject of industries is very important, and I believe the Members realize its importance, as they have not

sent in any suggestions for reduction. I do not think I need dilate on the necessity of these various items. All I can say is that this is the smallest budget perhaps on the industries that is being presented to this Council. In the years to come the amounts to be asked for will be much larger because the industrial department is just starting as an infant to grow. Various inquiries are being made and various suggestions are being received. The Director has got a certain number of industrial surveyors under him to find out what is being done in the Punjab in the way of industries and what is required to be done. He has also appointed various boards to advise him in Lahore and Amritsar and other places, and he is extending these boards throughout the Punjab to get as much advice as he can from the practical industrial people. Therefore, he is trying to make every effort to have the programme by which technical education and the arts and industries should progress in this Province. You will admit that my own ambition in this line knows no bounds. As I have a very large experience—extended experience—in industries, I do wish that during my office as a Minister for Agriculture and Industries I should be able to do some service to the Province in this direction. But that will not be possible to do unless I find that this Council is liberal enough to vote sums of money that are required, and I can assure them that they would be spent as carefully as possible. At the same time, I must make a remark that neither the Director of Industries nor the Minister will be able to accomplish this object unless there is a widespread spirit of enterprise to co-operate with them. For the few months that I have been connected with this department, both as a Minister and formerly as an Honorary Adviser to the Director of Industries, I have felt that the greatest difficulty in the way of the development of industries is the want of enterprise on behalf of the people. I have mentioned this fact so that the influence of the Members here should be extended to their friends and those who

are interested in industries to come forward and put their schemes before the Director of Industries, and the Government will do as much as possible to help them in every possible way. I do not want to say anything more on the subject. All I have to say is that the Budget to-day will be supplemented by a small amount required on a supplementary Budget, and that fact arises from some clerical mishandling of figures in the Accountant-General's office and perhaps in the Financial Department here. But that will be explained later. Meanwhile you will realize that the amount asked for is required to maintain the Arts School here, to work up the whole Department of Fisheries, and to start and build up a Technical College and a Model School, and to perform other activities.

With these few remarks I introduce my motion.

**The Hon'ble the President.**—There are no notices with respect to this grant. The motion before the Council is that a grant of Rs. 6,49,000 be voted on account of major head 33—Industries and 3)—Scientific Departments.

The motion was carried.

**The Hon'ble the President.**—Mr. Minister, the Council grants you a sum of Rs. 6,49,000 under major head 33—Industries and 30—Scientific Departments (Museum).

#### CIVIL WORKS (RESERVED) AND SCIENTIFIC DEPARTMENTS (RESERVED) GRANT.

**The Hon'ble the President.**—The next grant to be discussed is Civil Works (Reserved) and Scientific Departments (Reserved).

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Sir, I beg to move for the sanction of a grant amounting to Rs. 1,41,000 to be voted on account of major head 41—Civil Works (Reserved) and 30—Scientific Departments. The expenditure asked for in the demand consists of Rs. 41,000 under the head

Civil Works, chiefly on account of the yearly repair charges of His Excellency the Governor's residences in Lahore and Simla, and as such requires no further explanation from me.

The expenditure under Scientific Departments consists of Rs. 60,000 pay for the staff required to complete the Sutlej River Hydro-Electric Scheme, and Rs. 40,000 for any other Hydro-Electric Survey in the Province which may be started during the year 1921-22. I may inform the Council that during the past year we have had a staff at work preparing for the project of the Sutlej River Hydro-Electric Scheme, and the greater portion of their work, it is hoped, will be completed by May next. The Rs. 60,000 now being asked for is to pay the salaries of the staff which may be kept on after the Division is closed down, and which, it may be necessary, to maintain in order to work up the estimates, plans, and specifications.

I may briefly point out that the main Sutlej Hydro-Electric Scheme will cost 7 crores of rupees, and the Nangal Scheme 20½ lakhs and the Anu Khad 50 lakhs. The Nangal Scheme is interconnected with the Sutlej River Hydro-Electric Scheme. All these schemes are to supply electrical energy for the electrification of Kasauli, Solon and Dagshai Cantonments, as also for the Kalka-Simla Railway. The Simla Municipality will also get advantage for utilizing energy for the proposed Guman Water-supply Extension. The Nangal Scheme has an alternative also known as Anu Khad Scheme, and this is also in the course of investigation by Colonel Batiye. It is expected that when these works are completed they will be productive and paying to the Government as a sound financial proposition. Electrical energy at cheap rates would also be available for the public for the development of industries and agricultural concerns, such as irrigation by hydro-electric pumps. I may mention, by the way, that Government has application from a firm of

respectability for being allowed to take up a concession for the development of the Sutlej Project, the firm being prepared to provide funds by floating a company for the purpose. If such a step is to be decided upon, the Government would, no doubt, invite applications by public advertisements. I therefore trust that the Council will sanction the grant asked for, for the work which is already progressing, so that the work of hydro-electric survey may be completed, and similar projects of utility may be undertaken and investigated.

**The Hon'ble the President.**—The motion before the Council is that a sum of Rs. 1,41,000 be granted under the heads 41—Civil Works (Reserved) and 80—Scientific Departments (Hydro-Electric Survey).

The motion was carried.

**The Hon'ble the President.**—Sardar Sahib, you are granted a sum of Rs. 1,41,000 by the Council under these heads.

#### CIVIL WORKS (TRANSFERRED) GRANT.

**The Hon'ble Lala Harkishan Lal.**—I beg leave to move that a sum of Rs. 1,52,80,000 be sanctioned for Civil Works (Transferred). Information with regard to the details of this big sum will be found in the memorandum on page 37, Appendix A; page 3, Appendix B (1); pages 4 and 5, Appendix B (2); item No. 41, Schedule C; page 2, item No. 19, Appendix D, does not very much concern us, and in the Budget Estimate, pages 117 to 122 and pages 123 to 124, these are explanatory pages. Then on pages 10-11 of Appendix E some explanations are also given, and further down there is the list of Major Works in detail. Sir, this big sum is arrived at by totalling Rs. 67,80,000 under Civil Works, that will be found on page 119, and the items now to be mentioned are on pages 119 and 122—Civil Works Rs. 67,08,000, Original Works Rs. 57,00,000, Repairs Rs. 34,70,000,

Establishment about Rs. 17,50,000 in two items—one of Rs. 13,68,000 and the other of Rs. 3,75,000. The other items which are detailed there and in the table E amount to Rs. 2,28,000; and works that are already in progress require Rs. 38,50,000 to complete them.

Sir, this is a very big amount to ask the Council to sanction, and I am aware from the fact that so many notices have been given, and from the fact that I have been made the subject of special attention in some of the newspapers, saying "Let us see how much Lala Harkishan Lal will reduce the expenditure," that there is a considerable amount of opposition to some of the items. Well, Sir, I at once plead guilty and assert my inability to reduce the expenditure, and my reasons are these:

Sir, in the first place, I am concerned with the Public Works Department, and not with the departments which really employ this department; my department might well be called the department of "the servant of servants." We in the Public Works Department mostly serve other departments. If other departments are your servants, we are the servants of servants, and a servant of servants has very little to do with the orders and behests of his employers. But, however, that may be, I have very carefully scrutinised the justification and the need of the various items entered in the Budget, and I will in the course of time be able to show that almost all the items entered there, except of course one item—the Swimming Tank, into which many of the Members have already stumbled, though it has not been built—are of absolute necessity. So far as the Public Works Department is concerned it can only be criticised for bad work and for expensive plans. Beyond that, the department is not responsible. If it uses bad bricks, I shall be responsible and have to account for it. If the mortar used or the attention paid by the supervising officers is not good, if the walls are not perpendicular and the doors are not set right, then the Public Works Department is open to criticism, but

beyond that it is not. Whether a school building is required, or a hostel for a school or a college is required, or whether police thanas are required, is a question outside the jurisdiction of the Public Works Department. Of course, I would be glad if they took my advice, and did not insist on any new buildings, then the department would have plenty of holidays in which to enjoy itself. But I do not think you will allow that.

Sir, with regard to these various items, I should like to say one thing more. If it is thought that some of the buildings proposed to be built are on an expensive scale, I might inform this Council that nowadays, except for special works, there are standard plans for all classes of repeat works. I have got here about 50 plans which are called standard plans; and any Member of this Council who wants to satisfy himself whether the standard fixed up for any departmental building—whether for a prisoner in jail, or for the police constable who takes care of him, or for a soldier or a clerk or a supervising officer—is suitable, he can consult these plans. I shall be very glad if it is pointed out that our standard plans are by no means expensive. That is so far as the Public Works Department is concerned. With regard to other buildings the standard is rising. Everybody now wants a better building—more sanitary and more open to air and light—and for that reason buildings have to be devised specially by experts like architects here, and sometimes architects in England are also consulted, but that is all with a view not to spend money but to have for a small amount as good a building as could be put up.

So far as other departments are concerned, of course they will try to justify some of the items that have been objected to, and I shall be very pleased to give explanations.

There is another item of Larji-Mandi Road on which I would like to say something. I myself was very doubtful about the necessity of spending money on that

road. I took pains to study the plan which is in my hands, and any Hon'ble Member can consult it with regard to that road. Here you will find that a road was started some years ago from Pathankot to the Mandi and that section has been completed. From Mandi to Larji there is another section which is half completed. I do not know whether it was a trick of the Public Works Department or of somebody else who started it from the wrong end, *i.e.*, from Larji to Mandi. Now the position is that the road is there from Pathankot to Mandi and from Larji some distance to Mandi. If we leave all that little portion, we cannot complete the road. The road is useless from Pathankot wherefrom we cannot get to Sultanpur. But I can assure you that this was done before my time. Whoever did it, I think he did it very wisely. Well that is about this road, which will be discussed hereafter. Further on I might mention to you that what we now require is to complete that portion and also to acquire a piece of land as the opportunity occurs from Larji to Sultanpur. If we do that, we are in a position to get to Kulu, neighbouring States and neighbouring hills, and also as far as Gurdaspur, Tibet, and other places. Therefore you will find that this road on which a large amount of money has already been spent should now be completed so that money already spent may not be wasted. So much about the Larji-Mandi.

Now with regard to the tank. I may say in advance that this tank is required for students of Lyallpur for swimming. If you really want to cut that off, I have nothing to say against it. And if you allow it, so much for the benefit of the students and the students will be always thankful to you.

**The Hon'ble the President.**—The first motion stands in the name of Rai Sahib Sardar Harnam Singh "that under major head—41 Civil Works—Education Department—item No. 2 of Rs. 83,124 for the construction of a new hospital at the Lawrence School, Ghoragali, be omitted."

**Rai Sahib Sardar Harnam Singh.**—

There are certain motions for reduction of the Civil Grant estimates standing in my name on the Order paper to-day. Before I take up each singly, I would like to make a few remarks which apply generally to all these. On looking at the general abstract of expenditure one finds that a sum of Rs. 1,61,13,000 is shown as expenditure against the Civil Works. I know whole of this sum is not made up of the amounts to be spent on buildings only, but includes the cost of the establishment employed in Public Works Department, Buildings and Roads Branch. It is very difficult to make an analysis of these figures, but so far as I have been able to gather from the financial statement that about 17½ lakhs is on account of the pay of the establishment, and this sum is 60 per cent. more than last year's. The Budget Estimate for the year now coming to an end is Rs. 1,15,00,000 only, while this year the Budget Estimate comes to Rs. 1,61,00,000. On looking at the comparative statements of previous years, it appears that this Department has been every year spending more and more, and now the expenditure of this department has come to over 10 per cent. of the total expenditure, and has exceeded even the Irrigation Department, which is the most paying department of the whole Province. From this it will appear that certain radical reductions in the expenditure of this Department are necessary, and I hope Government will give us some assurance that even if all the grants are passed, they will appoint a committee of this House.

**The Hon'ble the President.**—The Hon'ble Member should confine himself to the motion under discussion. He is now going into a much wider field.

**Rai Sahib Sardar Harnam Singh.**—I move, Sir, that "item No. 2 of Rs. 83,124 for construction of a new hospital at the Lawrence School, Ghoragali, be omitted."

In moving this amendment I beg to bring the following facts to your notice :—

Ghoragali where the proposed hospital is to be built is within 3 or 4 miles of Murree where every kind of medical aid is available. Besides the Civil Hospital, which is open to the general public, there are a number of Military hospitals and a special hospital which is run by Lady Minto's Nursing Association during the season only. If we vote for this grant, it will not only mean the expenditure of Rs. 83,000, but as soon as the building is ready we will be asked to provide doctors, nurses, medicines and other necessary equipments required to run the hospital, and bear heavy recurring expenditure in its maintenance. Now let us examine the prospective benefits of the hospital in the present circumstances, and we find that they will be confined only to 250 boys and 180 girls of the Lawrence School, Ghoragali. Medical aid can easily be provided for them by giving an allowance to a doctor at Murree, who could go and visit the school daily. Any serious case may be easily brought over to Murree and treated as in-door patient. If sufficient accommodation is not available in Murree, I would propose that a small sum be spent on the improvement of Civil Hospital at Murree and, if necessary, a special ward may be built for the use of the boys and girls of this school. This expenditure on the improvement of the present hospital at Murree would benefit hundreds and thousands of other people who have to resort thereto.

Therefore I propose that we may omit this expenditure as at present provided by the Government and let the Government put up their new proposals on these lines. I hope that the Government would, on reconsideration, itself withdraw this expenditure.

**The Hon'ble Sir John Maynard**—Sir, I think probably the Member hardly realized what it is to have a school for a large number of pupils and a considerable number of servants and dependants isolated from medical assistance, and if he had realized the position, this motion would not have been before us. The Ghor-



gali School has accommodation for 250 boys, and the Girls' School, which is in close neighbourhood, has something like 180 girls. But this of course is not the sum total of the people who must be provided with medical aid. Ghoragali is not close to Murree. It is 3 or 4 miles away, and it is not possible to have recourse to Murree for medical aid. There are something like 1,000 people at Ghoragali for whom provision is required. Those who know how very liable children are to attacks of infectious diseases and how constantly these diseases are occurring in schools will easily realize the importance of this provision.

It has been suggested that it should be possible to provide for all these matters in Murree. That is an entire misconception. Murree has not itself got adequate hospital arrangements, and it is at a great distance from the school, and it would not be possible in all circumstances to take children from other parts of Murree for treatment. The school hospital has been very recently examined by medical authorities and it has been condemned by them as much too small. There are no arrangements for the isolation of infectious diseases, of which I have already pointed out there are very many cases. It would be a piece of barbarism, barbarism quite unworthy of the progressive spirit of the newly reformed Council—to condemn this provision for a hospital. I trust this Council will not for a moment consider the proposal to withhold the provision which it is proposed to make for them.

**The Hon'ble the President.**—Have you any remarks to make, Sardar Harnam Singh?

**Rai Sahib Sardar Harnam Singh.**—Yes, Sir. The Hon'ble the Finance Member himself has admitted that the medical aid provided at Murree is not sufficient and he considers the construction of a hospital at Ghoragali, where the total population is not more than one thousand, as a necessity. I do not say that this improvement should not be made. What I say, Sir, is that instead of making a hospital at Ghoragali and confining it to the benefit

of one thousand people, the money may be spent in Murree, where the Finance Member himself admits the medical aid is not sufficient. By spending this money at Murree we would utilize it to the benefit of much larger number of people.

**The Hon'ble Lala Harkishan Lal** replied in Urdu, and said it would be very difficult for students to go for medical aid to Murree. A hospital was necessary at Ghoragali. He thought it would be better to have this hospital at Ghoragali this year, and apply for more medical aid in Murree next year.

The motion that under major head 41—Civil Works—Education Department—item No. 2 of Rs. 83,124 for construction of a new hospital at the Lawrence School, Ghoragali, be omitted, was put to the Council and lost.

**The Hon'ble the President.**—The next motion is that under major head 41—Civil Works—Education Department—item No. 5 of Rs. 69,828 for the improvement of the water-supply and installation of electric lighting at the Lawrence School, Ghoragali, be omitted.

**Rai Sahib Sardar Harnam Singh.**—I may point out, Sir, that my motion was not worded like this. I do not object to the improvement of the water-supply, but my motion was that the sum provided for electric lighting be omitted.

**The Hon'ble the President.**—I could not accept a vague motion like that, so I ordered the whole sum to be shown in full. There was not time to ask you to amend your motion. I suggest that you ask the Hon'ble Minister what is the amount allotted for electric light and then reduce your motion accordingly.

**The Hon'ble Lala Harkishan Lal.**—I have no specific information, but I think it will assist my friend if he takes the figure for electric lighting to be Rs. 10,000.

**Rai Sahib Sardar Harnam Singh.**—Surely, Sir, they are not going to spend only Rs. 10,000 for electric light, and unless I know the exact amount, I fear my motion will not be of any use.

**The Hon'ble Lala Harkishan Lal.**—If the motion to reduce by Rs. 10,000 is passed by the Council, I will take it that the provision for electric light is to be omitted.

**Rai Sahib Sardar Harnam Singh.**—Thank you. I agree to reduce by Rs. 10,000.

**The Hon'ble the President.**—The motion before the Council is that the sum of Rs. 60,823 be reduced by Rs. 10,000 on account of the electric lighting.

**Rai Sahib Sardar Harnam Singh.**—Sir, I object only to the installation of electric lights at Ghoragali. I do not object to the water-supply. There is no building in Murree, including the Military hospitals, where electric lights have been installed up to this time. The installation of electric light in a school in the hills is unjustifiable in the present year, when we hope to have a deficit of about one crore of rupees made up as follows:—

46 lakhs as shown in the Budget,  
which it is proposed to meet  
from reducing our closing  
balance.

20 lakhs Amritsar indemnity.

Over 30 lakhs increase in the emoluments of Zaildars, Lambardars, etc., etc., if the Government accepts the recommendations of the Council.

Therefore it is very necessary for us to cut down as much expenditure as we think necessary to do so. Besides this, we want to save some money to enable the Council to recommend certain improvements to the Governor during this year. I hope the Council will agree with me that this is an unnecessary expenditure when we cannot even provide lights or fans for the schools in the plains. It is a luxury to provide electric lighting for a school in the hills, and the Council ought to reduce an expenditure by that sum which is meant for installation of electric lighting.

**Sardar Bahadur Sardar Mehtab Singh.**—Mr. President, there is some mis-

apprehension in the minds of some of the Members of this Council as to why all these items of improvement are being put in the Budget of this year. There is a hostel, improvement in water-supply and the installation of electricity, all being asked for this year. I think there is some sort of idea in the minds of the Government Members that because the Council is not perfectly aware of its rights, all these items may be asked for this year, so that next year they might not stiffen their backs against such big items of expenditure. I beg to submit that these items, which are not of absolute necessity, might well be postponed to next year, because this year our Budget is a deficit Budget and we can well afford to wait for another year when Members of this Council will be better versed in the discussion of the Budget. Apart from this, Ghoragali School has been the subject of discussion in another connection, and this being only one school out of many hundreds in this country, the Council should be given an opportunity to consider whether the installation of electricity is necessary or not. At any rate, it should be postponed for a year.

**Diwan Bahadur Raja Narendra Nath,** who spoke in Urdu, said that he had no objection to the construction of a new hospital and the improvement of the water-supply, but he would certainly object to the installation of electricity at the Lawrence School, Ghoragali. He urged that this work should at least be postponed for this year.

**Mr. Ganpat Rai,** who spoke in Urdu, said the installation of electricity was quite unnecessary, and thought it was an extravagance on the part of Government to sanction this expenditure. He stated that electricity had not so far been installed in any of the other schools or colleges in the Province, and he did not see why Ghoragali should be singled out for this concession.

**Mr. E. Joseph.**—I think, Sir, that one of the reasons why the Members feel that this expenditure should be postponed is that this is a deficit Budget. It is

deficit Budget perhaps in the sense that we draw on our reserves, but it is not a deficit Budget in the sense that it involves any new taxation, and I do not see the use of having reserves if you are never going to draw on them. If every Budget in which the expenditure of the year exceeds the income of the year, but in which no new taxation is introduced, is going to be described as a deficit Budget, then our reserves will remain as reserves and never be used. It seems to me that there is not much advantage in postponing an expenditure which is likely to cost more as time goes on.

(At this point an officer of Government, not being a Member of the Council, passed through the Council Chamber.)

**The Hon'ble the President.**—Order, order. Strangers must not come on to the floor of the House.

**Mr. E. Joseph** resuming.—If expenditure has to be faced and we have the funds, it is better to use those funds before that expenditure increases, and we all know that it will increase at all events for some years to come. If we are going to postpone expenditure on the ground that this is a deficit Budget, I should think that it would be better to postpone those items of expenditure which will cost no more if introduced next year than this year, rather than to postpone those items of expenditure which *will* cost more if introduced next year. I mean, for instance, the proposal to double the *pachotra* of *lambardars* and *zaildars*, which will cost no more whenever we introduce it. The proposals as to the installation of electric lights and water-works will cost us more by postponement. Raja Narendra Nath has distinguished between water-supply and hospital on the one hand as being necessary things and the installation of electricity on the other hand as being unnecessary. I think it may be said that alike water-supply and hospitals, it is a distinct sanitary improvement; it is very much cleaner; it is also very much more economical. Once you have got your installation in, it is very much cheaper to run electricity than

to run oil lamps and candles, and every gentleman who lives in Lahore knows to his satisfaction the enormous benefit as well as great economy that he derives from the use of electricity.

Another argument is that of Mr. Ganpat Rai. He does not merely say that it is unnecessary, but he says that it is *fazul kharch*. If it is *fazul kharch*, why do we all have electric lights in our houses in Lahore? Why do we not go back to that singularly sanitary and convenient method of lighting the oil lamp? He has also in a somewhat impassioned appeal asked whether any other school in the Province is as well treated as this one. Well, Mr. Anderson will be able to tell us something about that, but I think I have seen a large new Government hostel being erected in Lahore; I imagine electric lights will be put into it. We have also heard something about a swimming bath for the College at Lyallpur, and there are a great number of other similar items. I think that the amount proposed for the school is relatively small as compared with other institutions.

**Khan Bahadur Mir Muhammad Khan.**—Sir, I propose that the motion be now put.

The motion was carried.

**The Hon'ble the President.**—Sardar Harnam Singh, will you reply?

**Rai Sahib Sardar Harnam Singh.**—There is nothing much to say. I will just say a few words. The Secretary for the Transferred Subjects says that if we do not use the reserve what is the use of reserves. So far as I think, Sir, reserves are only meant to meet any emergency and unforeseen expenditure. If they are meant for the use of the ordinary expenditure, then they should be considered just as ordinary revenues and not reserve. Some Members might have noticed that though there is electric light in the rooms of the Government College hostel, but there is no light in its quadrangles. I asked some boys and they told me that they were informed that there was no money available for that purpose, and if no money is available

for providing light in quadrangles, I think money should not be allowed for this purpose.

**The Hon'ble Lala Harkishan Lal** spoke in Urdu, and said that he would be pleased to know from Mr. Ganpat Rai when he should expect to get the riches of Qarūn in order to spend money on electric lights which in the opinion of Mr. Ganpat Rai were mere luxuries. Mr. Ganpat Rai was himself a Director of the Electric Company, and the speaker asked him to resign his office as he was himself against electric lights.

Replying to the criticism of Sardar Bahadur Mehtab Singh, the Hon'ble Minister for Agriculture said that the Punjab Government, as at present constituted, consisted of three Indian Members, and the speaker could not understand which of them was so dexterous. The speaker assured the House that the Budget under discussion had not been so framed with a view to get advantage of the unfamiliarity of the Members of the new Council. The speaker pointed out that different departments submitted their schemes which were scrutinized by the Finance Department, which after a careful consideration decided as to what schemes were of an urgent nature to be dealt with first and which of them could easily be put by. He said that before assuming his office as Minister he used to wonder why Government collected so much money, but he now realized that the money thus collected was beneficial when need arose.

**The Hon'ble the President.**—The motion before the Council is that "from the item Rs. 60,823 for the improvement of the water-supply and installation of electric lighting at the Lawrence School, Ghoragali, a sum of Rs. 10,000 be deducted on account of electric light."

The motion was carried.

**The Hon'ble the President.**—Rai Sahib Harnam Singh will now move that "under major head 41—Civil Works—Agriculture Department a sum of Rs. 1,00,000

for the extension of the Chemical Laboratory at the Agricultural College be omitted."

**Rai Sahib Sardar Harnam Singh.**—Sir, in moving this I would just say a few words. This is an expenditure for the extension of the Chemical Laboratory, Lyallpur Agricultural College. From this it appears that a laboratory already exists, and it is proposed to spend one lakh this year and Rs. 83,000 next year on the extension of the same. If we postpone this expenditure, the work of the College will not suffer. Besides, I think that this expenditure of Rs. 1,83,000 is very heavy, and the Government should scrutinize this again, and we should not allow any sum this year.

**Mr. C. A. H. Townsend.**—The Hon'ble Member says that there is a laboratory at present. It is true that there does exist a laboratory at present, but it is insufficient even for the present number of students, and will be still more so for the additional number of students we hope to admit to the Agricultural College next year. Complaints have frequently been addressed to me in previous years as to the insufficiency of accommodation at the Agricultural College, Lyallpur. Only two or three days ago a gentleman said to me that they were suffering greatly from the fact that their students could not be admitted into the College. I quite agreed with him. We are doing what we can to be able to admit more students into the College. At present we can take only 40 students a year; it is hoped, Sir, to double that number. These students are taught Science and Chemistry, and it is very obvious that if they are taught Chemistry, they must have a laboratory in which to work. Additional scientific officers are also to be entertained. For them laboratories will also be required. I would, therefore, request the Council to reject this motion.

**Rai Sahib Sardar Harnam Singh.**—It seems to me that since last few years Government has been following a policy of making expensive buildings and is

spending more money on buildings than is necessary. If Government will give me assurance that this money which they now ask for this laboratory is necessary and that it will not be wasted, I will ask leave to withdraw it.

**The Hon'ble Lala Harkishan Lal.**—I give the Hon'ble Member an assurance that this money is absolutely necessary. Material is already there. Students are coming and Professors have been practically sanctioned.

**Rai Sahib Sardar Harnam Singh.**—I ask for leave to withdraw my motion, Sir.

The motion was by leave withdrawn.

**The Hon'ble the President.**—The next motion also stands in the name of Rai Sahib Sardar Harnam Singh. It is that "under major head 41—Civil Works—Agriculture Department a sum of Rs. 1,50,000 for new hostel at the Punjab Agricultural College be omitted."

**Rai Sahib Sardar Harnam Singh.**—Sir, I move that under major head 41—Civil Works—Agriculture Department—item No. 2 of Rs. 1,50,000 for a new hostel at the Punjab Agricultural College be omitted.

The estimate for the work is Rs. 2,54,000, out of which it is proposed to spend Rs. 1,50,000 this year and the balance next year. As far as I know the number of students at the Agricultural College is not more than 100, and to spend such a large amount on a palatial hostel is unjustified, when we have a deficit Budget before us. The Government has been spending huge sums on building palatial hostels since some years past. This may be excused to a certain extent when building hostels at Lahore, because it is the Provincial Capital and the principal Government buildings must have some architectural beauty about them, but expenditure of such sums in district headquarters cannot be considered anything but waste of money.

I don't object to the provision of a boarding-house for the students, but what I urge is that only such accommodation should be provided for them which would enable them to revert to their homes without feeling any trouble. Students of this College have to go and work in villages and fields after completion of their course, and it would be hard for them to lead their life for which they are being prepared if they are accustomed to live in luxurious and palatial hostels. By getting them into the habit of living in quite a different mode of life, while they are at College, it would be very irksome for them to live in a village and they would like to go back to the towns; thus the benefit of the education which they are receiving in the College would be wasted.

I would suggest that the money which is now allotted for the erection of a palatial hostel should be spent for the spreading of the agricultural education in the Province and need not be centralized in one place alone. The Government; should give demonstrations in agriculture in all the districts and demonstration farms should be provided, thereby showing to the people what can be achieved by modern methods and agricultural machines. I therefore consider this expenditure unjustifiable as at present proposed by Government, and it should be omitted from this year's Budget Estimate.

**The Hon'ble Lala Harkishan Lal.**—Sir, I am quite willing to have only Rs. 75,000.

**The Hon'ble the President.** Then the motion before the Council is that the sum of Rs. 1,50,000 for the new hostel at the Punjab Agricultural College be reduced by half for this year.

**Rai Sahib Sardar Harnam Singh.**—If the Hon'ble Minister for Agriculture will reduce his demand by Rs. 75,000, I can withdraw my motion.

**The Hon'ble the President.**—The point is that you have a motion before the Council to reduce Rs. 1,50,000. The Hon'ble the Minister for Agriculture



has said that he will accept the motion for Rs. 75,000. You have then to reduce your motion by Rs. 75,000.

**Rai Sahib Sardar Harnam Singh.**—It will save time, Sir, if the Minister for Agriculture will reduce his demand by Rs. 75,000. I can then withdraw my motion, and the object will be served.

**The Hon'ble the President** (addressing the Hon'ble Minister for Agriculture).—Do you reduce your demand by Rs. 75,000?

**The Hon'ble Lala Harkishan Lal.** Yes, Sir. The Government reduces its demand by Rs. 75,000.

**Rai Sahib Sardar Harnam Singh.**—I ask for leave to withdraw my motion, Sir. The motion was by leave withdrawn.

**The Hon'ble the President.**—The next motion is that "under major head 41—Civil Works—Agriculture Department a sum of Rs. 21,319 for a swimming tank at the Punjab Agricultural College, Lyallpur, be omitted."

**Rai Sahib Sardar Harnam Singh.**—This motion is shown for building a swimming tank at Agricultural College, Lyallpur. I understand there is no other college at Lyallpur except the Agricultural College. Is it so?

**The Hon'ble Lala Harkishan Lal.**—Yes.

**Rai Sahib Sardar Harnam Singh.**—I move, Sir, that under major head 41—Civil Works—Agriculture Department—item No. 6 of Rs. 21,319 for swimming tank at Punjab Agricultural College, Lyallpur, be omitted. There is not much to be said, because the Hon'ble Minister for Agriculture has offered to make up a compromise. We want this sum to be omitted altogether. But still I should like to hear what his proposals are, and whatever I have to say I will reply after the discussion.

**The Hon'ble Lala Harkishan Lal.**—The difficulty is, as I have already pointed out, that out of the total of all the Public Works estimates the Government has

deducted 12 lakhs as a lump sum for all possible lapses. The Budget is made up of the total of all the requirements. In the total we have asked 12 lakhs less. If this is taken out as one of the lapses, I accept the motion. I may again explain that in a Public Works Department the estimates are submitted on the understanding that possibly all the works may not be completed within the year, and if the works are not completed within the year, money saved or the money in hand lapses. The Government has from the scheme of public works kept back 12 lakhs, on the whole a big lump sum. If this is to be within 12 lakhs, I accept the motion.

**Rai Sahib Sardar Harnam Singh.**—Are we to understand that the tank will not be built.

**The Hon'ble Lala Harkishan Lal.**—Very likely other works will be much more advanced to put this work back, and we will put this work at the end. The money is not in the hands of Government. We have to get it from the revenues, and we shall put this item amongst lapses.

**The Hon'ble Sir John Maynard.**—Sir, possibly it might be understood in this way. Government adds up the total of all the items of the Public Works for which the Department asks for sanction. That total comes to, say, one crore of rupees. I am only taking these figures by way of illustration. The Government says it is not probable that we shall carry out these works actually. We shall not have time to finish all of them and to spend the whole of the money allotted. Therefore, instead of asking a crore, we ask for the amount minus 12 lakhs, i.e., 88 lakhs instead of one crore. I am using these figures only by way of illustration. What Mr. Harkishan Lal wishes to convey is that in the case of Rs. 1,50,000 being sanctioned, which is put down for the construction of a hostel, the work will not be taken up, and there would probably be a lapse. If that item of Rs. 1,50,000 is reduced to Rs. 75,000, the forecast of the probable



amount of lapse would also be reduced, i.e., the lapse would be less to that extent, because the Council will have already deducted the items in regard to which the lapse was probable, so that the deduction would have been made twice over, once in the form of that lump deduction which Government itself had made in making the proposal, and secondly by the Council in disallowing certain items on the ground that the full expenditure during the year was not proper.

**The Hon'ble the President.**—I do not think that the Council can go into this adjustment of figures profitably. The Government have made a definite demand for certain sums for certain items. The Council should vote on those definite sums and on those definite items. If the Council allows this money and the Government afterwards find that it is not convenient or financially wise to spend it, that is their responsibility. If, on the other hand, the Council votes that the money for the swimming tank be not allowed, then Government would not be doing right to begin this work. The Government have made a demand for Rs. 21,319, and I think the Council should pronounce on that. The debate will now proceed on the assumption that Rs. 21,319 is demanded for building a swimming tank, and the Council will decide whether they think that sum should be used for this purpose or whether it should be omitted.

**Rai Sahib Sardar Harnam Singh.**—I move, Sir, that item No. 6, amounting to Rs. 21,319, provided for a swimming tank at the Punjab Agricultural College, Lyallpur, be omitted. I consider this is a luxury and expenditure on it unnecessary. We have been told that when all other colleges have swimming tanks why should not the Agricultural also have one. As far as I know, no other college except the Government College in Lahore has a swimming tank. I do not see why we should provide a tank for the Agricultural College. It is not a necessity. If the boys have to be

taught swimming, they can easily be taught in any of the open tanks at Lyallpur or in the canals. I, therefore, submit that this expenditure being unnecessary should be omitted.

**Malik Firoz Khan,** who spoke in Urdu, said that the Lyallpur Agricultural College was primarily meant for the benefit of the zamindars of the Province. He was very pained to see so many Members speaking against the rural interests in this matter, because swimming was a very necessary accomplishment for the zamindar. He urged that it was not seemly for the mover to bring motions which he subsequently withdrew.

**The Hon'ble the President.**—The Member should know by this time that when leave to withdraw a motion is asked from the Council it is put to the vote of the Council. If the Council wishes to give leave to withdraw the motion, the Council is entitled to do so. If it wishes to refuse, it can refuse to do so. There is no question of it being seemly or unseemly. It is for the Council to decide on each occasion what it wishes.

**Malik Firoz Khan** continuing said that swimming was a very good exercise for the boys, and therefore it was most essential that they should have a swimming tank built on scientific lines, which would be less dangerous than learning to swim in a canal or other place.

**Pir Akbar Ali,** speaking in Urdu, supported the last speaker, and said it was very necessary to have a swimming tank at the Agricultural College at Lyallpur, as it was very essential for zamindars particularly to know how to swim.

**Mian Muhammad Shah Nawaz,** speaking in Urdu, said that in his opinion the construction of this swimming tank was absolutely unnecessary. The boys could just as well learn how to swim in the canal which was quite close to the College.

**Mr. Daulat Ram, Kalia.**—Sir, I wish only to deal with one part of the arguments which have been advanced in this connection. It has been suggested that the boys should learn to swim in the canal. This is a very dangerous thing and the Government should not take upon itself the responsibility of sending the students of the Agricultural College to a canal to swim. These tanks are made on scientific lines which makes drowning almost an impossibility. So the suggestion that swimming can be learnt in canals and other places just as easily is not a good one.

Then, Sir, another aspect of the question is that it is very necessary for those who go and study in the Agricultural College to learn swimming because sometimes they have to work near rivers and canals, and this is an exercise which is very necessary for them and should be learnt.

**Rai Sahib Sardar Harnam Singh.**—I have nothing to say, Sir, except that I want to reply to the attack made by Malik Piroz Khan. I am also representing rural interests and the motions which I have made to-day have been made with the object of reducing the expenditure in the Agricultural Department, with a view to reducing waste of money. Malik Piroz Khan says that an effort has been made to reduce this expenditure. As soon as I heard from the Director of Agriculture that a laboratory

**The Hon'ble the President.**—That point is not now in issue.

**Rai Sahib Sardar Harnam Singh.**—I have nothing else to say, Sir. In my opinion this expenditure is unnecessary.

**The Hon'ble Lala Harkishan Lal,** speaking in Urdu, said that similar tanks already existed at the Khalsa College, Amritsar, the Chiefs' College and the Training College and Government College, Lahore, and there was an absolute necessity for a swimming tank in the Agricultural College at Lyallpur.

**The Hon'ble the President.**—The motion before the Council is that under major head 41—Civil Works—Agriculture Department a sum of Rs. 21,319 for a swimming tank at the Punjab Agricultural College, Lyallpur, be omitted.

The motion was put and lost.

**The Hon'ble the President.**—Rai Bahadar Lala Sewak Ram will move that "under head 41—Civil Works—Civil Buildings—a sum of Rs. 1,30,000 for the construction of a grain elevator be omitted."

**Rai Bahadar Lala Sewak Ram,** in moving the above motion, remarked that a further sum of Rs. 1,30,000 should not be spent over the grain elevator at Lyallpur. He admitted that the Hon'ble Minister for Agriculture and the Director of Agriculture had fully explained to the Council what an elevator was. But he was doubtful whether such a big amount could be expended on the existing elevator usefully. He said that the existing buildings of the elevator were not so useful to the zamindars, who were expected first to produce grain and then to bring it to the elevator at their own expense. He said that the zamindars could not wait for the time when purchasers would come to the elevator to purchase their wheat. During the last year zamindars had been induced to take their wheat to the elevator, but the speaker was doubtful whether anyone did so. The speaker further said that it was only yesterday that a sum of Rs. 25,000 was sanctioned for the elevator which proved that the elevator was not even self-supporting. So it seemed to the speaker that to spend more money on it was nothing short of wasting it. He said that they stated before the Enquiry Committee for Elevators that it would not be of much use to the zamindars. In spite of all that, the Punjab Government had erected an elevator at Lyallpur. What was done was done, but no more money should be spent on the elevator until it proved to be of some use to the zamindars.

**Malik Firoz Khan** spoke in Urdu. He opposed the motion, and said that before the Members expressed their opinion they should bear two things in mind.

The first was that the money spent on the elevator would be paying, as the zamindars who would store their wheat there would pay rent for it.

The second thing he pointed out was that the zamindars always ran short of money when called upon to pay the land revenue, and as a result they went to sell their wheat to a shopkeeper who seldom offered a reasonable price for it, seeing that the zamindar being in need of money would be ready to sell it at any price. On the other hand, said the speaker, if a zamindar stored his wheat in the elevator he would get a certificate from the manager and thereby he could borrow money from any bank on presentation of that certificate at a very moderate rate of interest. He said that if the Council voted the money required for the construction of grain elevator, it would prove very beneficial to the zamindars.

**Chaudhri Kharak Singh** spoke in Urdu, and said that the Council was expected to arrive at just conclusions. The thing to be noticed, he said, was whether sufficient grain went to be stored in the existing elevator and whether the quantity brought there for storage justified the extension of the present elevator. He supported **Rai Bahadur Lala Sewak Ram**.

**Mr. C. A. H. Townsend**.—Sir, I am somewhat surprised at the motion which has been brought before the Council in spite of the detailed explanation as to elevators given by the Hon'ble the Minister for Agriculture yesterday. From the speech of the last speaker I gather that there is still some misunderstanding in the minds of some of the Members of this Council as to what an elevator is. I have in my hand a note written for me by the firm of Messrs. Clements Robson and Company, who are managing the elevator as agents to Government and have no financial gain in the elevator at Lyallpur. They have

given in this note reasons for the additional machinery that we ask for next year. It begins: "You are aware that while the elevator was in operation during 1920, efficiency and economy were practically non-existent owing to the fact that the bottom conveyor bands could not be used, and that subsidiary elevators, which are essential, had been cut out of the original plan and estimate and had therefore not been erected. As I have placed these matters before you on more than one occasion during your inspections of the elevator, it is unnecessary to go further than to say that efficiency is at present sacrificed to the extent of at least 60 per cent.; handling charges in respect to labour, etc., are, at a low estimate, trebled; while wear and tear on such expensive articles as automatic machines has reached a quite unwarrantable figure."

I used one phrase 'subsidiary elevators' as to which the Council may ask me for a word of explanation. We do not want to provide any additional elevators. All that is desired is machinery and equipment to complete the existing elevator. I enquired from Mr. Duncan (the local manager of the firm) what is meant by subsidiary elevator, and his explanation is as follows:—

"These are necessary for unloading grain from bins either into sacks or in bulk without interference with the main elevators while grain is being received into bins. At present, even, when the bottom conveyor bands are in position to operate, unloading either direct or from bins cannot be done unless intake operations are first brought to a standstill, with the result that 50 per cent. of efficiency is lost, machinery is brought into operation twice when dealing with bins, and double the amount of power is used as compared with the quantity which would be required after the erection of subsidiary elevators."

Sir, I do not wish to take much time of the Council in going into details. It is a pity to use an English proverb—"to spoil the ship for a ha'porth of tar."

Having got the present elevator at Lyallpur, it is our duty to make the best of it we can, and I can assure this Council that we can make the best of it only if we complete it with the additional machinery which I have now asked. If this Council refuses to grant the sum required for completing the existing elevator, it will not be a sound policy.

**Chaudhri Bans Gopal.**—I move, Sir, that the question be now put.

The motion that the question be now put was carried.

**Rai Bahadur Lala Sewak Ram** replied in Urdu, and said that this expenditure would be a sheer waste of money. The zamindars could better dispose of their stores without an elevator.

**The Hon'ble Lala Harkishan Lal**, who spoke in Urdu, said he had already explained what a grain elevator was. He assured the Council that it was not a waste of money. The elevator had already been built, and this item was required to complete it.

**The Hon'ble the President.**—The motion before the Council is that under head 41—Civil Works—Civil Buildings a sum of Rs. 1,30,000 for the construction of grain elevator be omitted.

On a division being called, the result was as follows :—

For the motion ... 8

Against the motion ... 40

—

Majority against the motion 32

The motion was lost.

**The Hon'ble the President.**—The next item is that under head 41—Civil Works a sum of Rs. 2,00,000 for the development of the Brockhurst Estate, Simla, be omitted.

**Rai Bahadur Lala Sewak Ram.**—Before I move this motion, I should like to know why this Brockhurst Estate is being extended.

**The Hon'ble Lala Harkishan Lal**, who spoke in Urdu, said that some time ago Government purchased the land for the quarters of officers and establishments. Many buildings had been erected. One of them had been allotted to Hon'ble Sir John Maynard, one to Hon'ble Khan Bahadur Mian Fazl-i-Husain and one to himself. Further development was intended for the residential quarters of the establishment.

**Rai Bahadur Lala Sewak Ram**, who spoke in Urdu, suggested that the development should be postponed. He said it was going to be decided shortly that the exodus of Government to the hills should be stopped altogether, and this expenditure would automatically become useless.

**Pir Akbar Ali**, who spoke in Urdu, said it had already been decided that the exodus of Government to the hills was essential. He did not think any further discussion was necessary. He opposed the motion of Rai Bahadur Lala Sewak Ram on the ground that the expenditure would not be useless because it would be a profitable investment deriving rent.

**Diwan Bahadur Raja Narendra Nath**, who spoke in Urdu, said that the money should be spent carefully. There was no necessity for building houses for the Ministers and Members.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—I rise to a point of order, Sir. This motion has got nothing to do with the Ministers' house.

**Diwan Bahadur Raja Narendra Nath**, continuing in Urdu, said he had understood from the Hon'ble the Minister for Agriculture that this was required to build Ministers' house, etc.

**The Hon'ble Lala Harkishan Lal.**—No, Sir, I never said that. I said that those had already been built, and the expenditure was required to further develop the estate for the purposes of supplying the staff with quarters.

**Diwan Bahadur Raja Narendra Nath**, continuing in Urdu, said he thought this item too much for development of the estate. He supported the motion of **Rai Bahadur Lala Sewak Ram**.

**Khan Bahadur Mir Muhammad Khan**.—Sir, in 1916 Government acquired this estate by spending about Rs. 1,35,00,000. It is an old estate, and the old building was dismantled and the land was divided into different plots for the purpose of putting up a building on each plot. Since 1916 building operations have practically been going on, and at present several buildings are in sight. This demand is nothing but for the purpose of completing the old scheme which was prepared and matured in 1916; and if the Council disallows this item, it means that whatever has been spent before on the scheme will be ill-spent and the building operations will come to a dead stop. Sir, under these circumstances I think it is essential that the amount asked for the completion of the scheme be granted, and I am sure that **Raja Sahib** must have noticed last year when he was staying up at Simla that building operations were going on and they are still going on. It is necessary that accommodation for the Punjab Government officials and subordinate staff be provided for at Simla; otherwise they would not be able to get house accommodation near the Punjab Secretariat. The Brockhurst Estate is near Chota Simla and the Punjab Secretariat, and that was the only possible site which the Government could acquire at that time. Sir, I think the money spent by the Government has been rightly spent because the capital value of the property has gone up very considerably and its rental value will also go on increasing with the lapse of time. Under these circumstances, Sir, I oppose the motion, and request the Council to grant the sum of Rs. 2,00,000 asked for by the Government.

**Rai Bahadur Lala Sewak Ram**, speaking in Urdu, said that this expenditure could at least be postponed for a year.

**The Hon'ble Lala Harkishan Lal**, who spoke in Urdu, said that this projects

could not be postponed for a year. He pointed out the difficulties which Government servants experienced in getting accommodation in Simla and the necessity of providing them with some kind of quarters to live in.

**The Hon'ble the President**.—The motion before the Council is that under head 41—Civil Works a sum of Rs. 2,00,000 for the development of the Brockhurst Estate, Simla, be omitted.

The motion was lost.

The Council then adjourned until 2-15 P.M.

**The Hon'ble the President**.—The next item before the Council is "that under head 41—Civil Works a sum of Rs. 2,00,000 for the construction of gazetted officers' residences at Lahore be omitted."

**Rai Bahadur Lala Sewak Ram**, in putting the above motion before the Council, spoke in Urdu. He said that when the Budget was a deficit Budget money should not be spent for such buildings as it was economically unsound. The money, if given on interest, would be more profitable than if spent on buildings. The speaker pointed out that any number of houses could easily be had in Lahore on rent and there was no necessity of utilising the Provincial revenues in that direction. He then went on to say that if Government undertook the construction of bungalows, they would be discouraging private enterprise. The speaker asked the Hon'ble Minister for Agriculture, who himself was a big businessman, as to why he proposed to spend money over buildings whose rents would not bring even half the rate of interest which could be earned from banks. A good deal of money, the speaker said, was being spent on planting trees and growing grass, etc., in big towns, whereas zamindars, who contributed largely towards the Provincial revenues, were deprived of even ordinary katcha roads and bridges.

**Sardar Bahadur Sardar Mehtab Singh**.—Supplying houses for Government servants

is rather an antiquated way of doing things. We should always have the principle of supply and demand in our mind. If we will provide houses for the convenience of Government servants at a place like Lahore, time will come when we will be called upon to make houses for Government servants working at headquarters of other districts. By making houses Government will be entering into commercial enterprise for a very small return. In fact, the rate of interest is so high that Government should not spend money on making houses because they get smaller return than they can get for money in the market. With these remarks I would support Rai Bahadur Lala Sewak Ram. We should not go in for commercial enterprise.

Mr. Ganpat Rai spoke in Urdu. He supported Rai Bahadur Lala Sewak Ram, and said that Council should sanction money for rural education and improvement of agriculture. He said that when houses could be had in Lahore on rent there was no necessity of building Government quarters. He pointed out that when he would request Government to provide Rs. 30 lakhs for primary education, Government would reply that they had no money. Therefore he emphasized the necessity of economy. The speaker said that Government quarters meant a lot of saving to the officers at Government cost, because officers had to pay more rent to private owners and in spite of that they could not get the houses properly repaired every year, but if Government quarters were provided to them, they would have to pay less rent and the houses would be annually repaired to the satisfaction of the officers. If the elected Members sanctioned the Rs. 2 lakhs for gazetted officers' residences, they would not be able to give any satisfactory reply to their constituents who wished them to spend money on their education. He pointed out that during the last few months the Lahore Municipality had given permission to private owners for building nearly 60 houses and said that when a sufficient number of houses could be had on rent

Government should not spend the money under discussion.

Mr. C. M. King. — Sir, the two points which I should like to bring to the notice of the Council are as follows :—

One point was brought forward this morning in the speech of the Hon'ble the Minister for Agriculture in which he pointed out that expenditure for Civil Works which had been sanctioned was a capital expenditure which brought interest at the full market rate. It is precisely the same in the case of houses which it is proposed to build for the officers in Lahore. The Province is not really spending this money on any unproductive purpose, but it will derive an income from it.

The next point on which I wish to lay real stress is that it is frequently very awkward for Government servants to occupy houses belonging to private people. I have noticed this difficulty myself, not only in Lahore, but also in other districts. The owner of a house occupied by a Deputy Commissioner or other high official presumably is a very influential man, and although the supposition is absurd, yet it often gains ground among the common people that because the Deputy Commissioner or any other executive officer occupies his house, therefore that particular person has a sort of right on and the ear of the official. That seems to be a most undesirable state of affairs, and it seems desirable that this Council should see that Government officers should not be placed in such a position that even if they have no personal inclination on their part, such a thing should interfere in the discharge of their public duty. I need hardly say that it would be a most awkward situation for a Deputy Commissioner or a Commissioner occupying a house at Lahore to be called upon suddenly to vacate that house, because that officer has or has not done something which might please his landlord. That is one of the main reasons why Government is asking this Council to vote for this sum, in order to relieve its officers from this awkward position.



**The Hon'ble the President.**—The Council has now spent 20 minutes on this one item. I have worked out in the luncheon hour that each motion should not take more than 4½ minutes if we are to finish our work to-day in time.

**Rai Bahadur Lala Sewak Ram**, who spoke in Urdu, said he had never heard of a Government servant being turned out suddenly from a house. The people in fact regarded them as permanent occupiers. This expenditure would be wasted as Government would derive interest only for six months in the year, and for the remaining time the houses would be vacant.

**The Hon'ble Sir John Maynard.**—Sir, that is a misstatement of facts. Rent is paid for the whole year at a rate which brings a good income to Government.

**Rai Bahadur Lala Sewak Ram**, continuing in Urdu, said this rent was only 3½ per cent.

**The Hon'ble Sir John Maynard.**—That also is a misstatement of facts. The actual rent is 5½ or 6 per cent on the outlay.

**Rai Bahadur Lala Sewak Ram.**—May I understand if it includes the price of the land as well.

**The Hon'ble Sir John Maynard.**—Yes.

**The Hon'ble Lala Harkishan Lal.**—I rise to a point of order. Sir, he can only reply and not enter into a discussion now.

**Rai Bahadur Lala Sewak Ram.**—Even if the rent charge is 5½ or 6 per cent, I do not think it desirable, as money can bring in 12 per cent otherwise.

**The Hon'ble Lala Harkishan Lal**, who spoke in Urdu, said it was wrong to say that there was sufficient house accommodation in Lahore. This was a most troublesome question. During the three years that Congress was held in Lahore, he and Mr. Ganpat Rai went about searching for houses, and could not get any house.

**Mr. Ganpat Rai.**—Is the Hon'ble Minister in order in referring to Congresses which were held two or three years ago?

**The Hon'ble the President.**—He is replying to your statement.

**The Hon'ble Lala Harkishan Lal**, continuing in Urdu, said that even at the present time no house was available on rent. It was very sad that in the face of such bitter experience Mr. Ganpat Rai had the boldness to say that houses could be had in Lahore easily. No reasons had been given for this motion to reduce.

He said Sardar Mehtab Singh had urged that the principle of supply and demand should be taken into consideration. All he would say was that eventually the supply might reach the demand, but not on the day that the demand was made.

He said there was no intention on the part of Government to supply better houses to Government servants than were obtainable in the city. The idea was simply to meet the demand.

**The Hon'ble the President.**—The motion before the Council is that a sum of Rs. 2,00,000 for the construction of gazetted officers' residences at Lahore be omitted.

A division was called and the result was as follows:—

For the motion ... 21

Against the motion ... 26

Majority against ... 5

The motion was declared lost.

**The Hon'ble the President.**—The next motion is that "under head 41—Civil Works—Communications a sum of Rs. 3,00,000 for the construction of section II, Larji-Mandi Road, be reduced to one-half."

**Rai Bahadur Lala Sewak Ram**, speaking in Urdu, moved the motion, and said that the Hon'ble the Finance Member

had already agreed to reduce Rs. 75,000 out of this amount on account of the Amritsar indemnity, and therefore it was only a question of reducing a further Rs. 75,000. He hoped that the Minister for Agriculture would see his way to agree to this.

**Mr. E. Joseph.**—Sir, if this road cannot be completed in one year, the money will not be spent. If, on the other hand, it can be built in one year, what is the use of putting off the construction to a second year. In either case the money will be spent.

**Mr. Ganpat Rai**, who spoke in Urdu, said that as explained by Mr. Joseph, if the money could not be spent this year, the balance would lapse. Therefore he suggested that the money might be more usefully employed in some other direction.

**Diwan Bahadur Raja Narendra Nath**, who spoke in Urdu, urged that this expenditure must be postponed at least for this year. He was himself going to move a motion for the reduction of the whole amount, and in his opinion it was an unnecessary expenditure.

**The Hon'ble Lala Harkishan Lal**, speaking in Urdu, said that he had already explained the necessity and urgency of this road to the Members of the Council. The land for the construction of this road was to be acquired and it was undesirable to postpone this acquisition now.

**The Hon'ble the President.**—The motion before the Council is that under head 41—Civil Works—Communications a sum of Rs. 8,00,000 for the construction of section II, Larji-Mandi Road, be reduced to one-half.

A division was called for, with the following result :—

For the motion ... 19

Against the motion ... 26

Majority against ... 7

The motion was declared lost.

**The Hon'ble the President.**—The next motion is that under head 41—Civil Works a sum of Rs. 50,000 for a 3rd storey to Ellerslie, Simla, be omitted.

**Rai Bahadur Lala Sewak Ram** moved the motion, and speaking in Urdu said that until the question of the Simla exodus had been definitely decided, this expenditure should not be incurred.

**Maulvi Muharram Ali, Chishti**, who spoke in Urdu, said that the fate of this motion would be the same as that relating to the Brockhurst Estate and therefore the Mover had better withdraw it.

**Mr. Ganpat Rai**, who spoke in Urdu, supported the Mover in thinking that until the question of the Simla exodus had been definitely settled, this expenditure should not be incurred.

**The Hon'ble Lala Harkishan Lal**, speaking in Urdu, said that this expenditure was absolutely necessary. Four new Members and Ministers had been appointed, and they must have some offices to work in when they went to Simla. If the Council was not prepared to give them any place to work in, they could not do any work, and if the Council would agree to this, he personally had no objection. But as this was impossible they must have some offices built for their use.

The motion was put to the Council and lost.

**The Hon'ble the President.**—Mr. Ganpat Rai will now move that "under head 41—Civil Works a sum of Rs. 11,775 for building quarters at Lyallpur for Public Works officers be omitted."

**Mr. Ganpat Rai.**—Sir, I request that all the items standing in my name be taken together because they are of the same nature and much time will be saved.

**The Hon'ble the President.**—I must take each item separately.

**Mr. Ganpat Rai** then continued in Urdu. He said that private houses could be had at Lyallpur and therefore it was

not necessary for Government to build the quarters under discussion. He said that the Budget had been filled with such items as the one under discussion merely with a view to take undue advantage of the fact that all the Members were new to the Council and could not fully understand the technicalities of a Budget, and that when the Members became acquainted after a year or two, they would not sanction such like expenses. He further said that to spend money for providing quarters for Government officials meant a heavy loss to the general tax-payer, who expected more education and sanitation from Government.

**The Hon'ble Lala Harkishan Lal** spoke in Urdu, and said that, as Mr. Ganpat Rai had advanced no fresh arguments, he did not wish to repeat his previous remarks. He pointed out, however, that the Budget under discussion had not been framed with a view to derive undue advantage of the fact that all the Members were new to the Council. He said that the population had enormously increased and it was very difficult for an official, who was transferred to Lyallpur, to get a house to dwell in. He assured the Council that if houses could be had on rent at Lyallpur, he would not have asked them to sanction such items.

The motion was put and lost.

**The Hon'ble the President.**—Next motion before the Council is that "a sum of Rs. 17,368 for building type D quarters for clerks and assistant draftsmen attached to the Lyallpur Provincial Division be omitted."

**Mr. Ganpat Rai.**—I will say one word. Then he continued in Urdu, and said that the Hon'ble Minister for Agriculture had remarked that the speaker had brought forward no new argument. He enquired from Government how the clerks lived when there were no Government quarters for them.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain** spoke in Urdu. He said that the population at Lyallpur had so much increased that it was difficult to get rented

houses. Previously it was not the case, and houses could be had on rent.

The motion was put to the Council and lost.

**The Hon'ble the President.**—The time fixed by His Excellency the Governor for the discussion of this grant has passed. Will there be any objection, Sir John Maynard, if we take a few minutes more.

**The Hon'ble Sir John Maynard.**—No, Sir, there is no objection.

**The Hon'ble the President.**—The next motion before the Council is that "a sum of Rs. 92,926 for the acquisition of land for improvements to the cemetery at Taxali Gate, Lahore, be omitted."

**Mr. Ganpat Rai.**—Sir, this is more a matter of principle, that I move this motion, than the question of amount. The question is whether Government is going to make provision for all burning grounds and burial places of all communities. If the answer is in the affirmative, I shall not press my motion, but will ask leave to withdraw it. But if the answer is in the negative, then of course I shall press my motion because it is unfair to other communities. Money should not be spent for one community alone. Rate-payers' money should be divided equally among all the communities.

**The Hon'ble Sir John Maynard.**—With regard to the question whether Government provides for burning grounds and burial places for other communities or only for Christians, the answer is that wherever the conditions are such that sanitary requirements necessitate the provision of land, and the land cannot otherwise be provided, the municipal authorities or Government will make arrangements that land should be provided. This is already done in canal colonies and other places where other provisions are not made. In the present case the same principle applies. It is a sanitary necessity that there should be sufficient burial ground.

**Mr. Ganpat Rai.**—I would like to know whether any application has been

made to the Lahore Municipality that they should make provision for the acquisition of land for improvements of cemetery under discussion as they have been doing in the past. If no application has been made to the Lahore Municipality, I would like to know why this sum is being provided for from the Provincial revenues.

**Pandit Daulat Ram, Kalia.**—Is the Hon'ble Member in order?

**The Hon'ble the President.**—Yes.

**Mr. E. Joseph.**—Burning grounds are provided by Government where sanitary conditions so require. I have myself provided in the colony towns of Montgomery District an unlimited number of burning grounds and cemeteries at Government expense.

**Sardar Bahadur Sardar Mehtab Singh.**—The instance cited by Mr. Joseph of new colony towns is quite different because these are the places which Government is selling by auction, and Government has to reserve some plots for burning ghāts and graveyards. Lahore is an old place and there is already a cemetery there. Government should not purchase land for making over to any one community. We would like to know an instance where Government purchased land and made it over to the Hindu or Muhammadan community. So far no explanation has been given to this Council as to how far the previous cemetery is overcrowded. We have also not been informed whether it is absolutely necessary to acquire so much land. The Council would certainly like to know whether Government have ever purchased land in any old town and made it over to Hindus or Muhammadans for using it as burning ghāts or burial grounds.

**Mr. E. Joseph.**—The present death-rate shows that the existing cemetery is insufficient even for the number of persons dying in a single season.

**The Hon'ble Sir John Maynard.**—I should like to explain the position that

it is as a sanitary requirement that the land is needed.

If Government have already got land, there is no occasion for purchasing it. We can purchase land and give it to any community if sanitary conditions so require.

**Maulavi Muharram Ali, Chishti,** who spoke in Urdu, said he could not support Mr. Ganpat Rai's motion. It was opposed to all sense of humanity. He did not care whether Government had given any land to Hindus or Muhammadans for their dead, but by allowing this item they would be establishing a good precedent, and people could ask Government in future for any land to be used as a cemetery for Muhammadans or Hindus. Anyway, he regarded the motion of Mr. Ganpat Rai as very objectionable, and he strongly opposed it. He did not like the question of communities to be dragged everywhere like a dirty rag.

He said it was in the interests of sanitation also that the cemetery should be provided.

The motion was put to the Council and lost.

**The Hon'ble the President.**—The next motion is that "a sum of Rs. 9,847 for the provision of a tube well for the cemetery at Taxali Gate, Lahore, be omitted."

**The Hon'ble Lala Harkishan Lal.**—I reduce my demand by half. An ordinary well would suffice.

**Mr. Ganpat Rai.**—I ask for leave to withdraw my motion.

The motion was by leave withdrawn.

**The Hon'ble the President.**—The next motion is that a sum of Rs. 75,000 for the purchase of residences for Government officials be omitted.

**The Hon'ble Lala Harkishan Lal** accepted this motion, and the item was omitted accordingly.

**The Hon'ble the President.**—The next motion is that a sum of Rs. 19,300 for

rebuilding the tower over the Anatomical Block of the King Edward Medical College, Lahore, be omitted.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—May I explain, Sir, that the old dome has broken, and this expenditure is required to rebuild it lest the rest of the building may crumble down.

**Mr. Ganpat Rai**, who spoke in Urdu, said that if it had been explained before, there would have been no necessity for putting up this motion for reduction and the time of the Council would have been saved. I ask for leave to withdraw.

The motion was by leave withdrawn.

**The Hon'ble the President.**—The next motion is that a sum of Rs. 19,000 for an enclosure wall to the Telegraph Office, Amritsar, be omitted.

**Mr. C. M. King.**—The Government accepts this omission of Rs. 19,000 from the Budget.

**The Hon'ble the President.**—Mr. Ganpat Rai's next motion, namely, that a sum of Rs. 50,000 be not granted for a third storey to Ellerslie, Simla, is covered by the previous decision of the Council. There remains a sum of Rs. 68,000 for Major Works connected with residential buildings.

**Mr. Ganpat Rai** moved that this item of Rs. 68,000 for Major Works connected with residential buildings be omitted. Speaking in Urdu, he said that this point had already been threshed out in Council and in his opinion this expenditure was not necessary and should be expunged.

**The Hon'ble Lala Harkishan Lal**, who spoke in Urdu, said that this money was not meant for new buildings, but for extensions and renewals to old buildings which had been found to be absolutely necessary.

The motion was by leave withdrawn.

**Mr. Ganpat Rai.**—Sir, Sayad Muhammad Hussain has asked me to move the motion standing in his name. Have I your permission to do so?

**The Hon'ble the President.**—I am afraid that is irregular. I cannot allow any infraction of the rule as time is so short.

We now come to Raja Narendra Nath's motions. The first item, namely, the development of the Brockhurst Estate, Simla, the second, in regard to the construction of gazetted officers' residences, and the third, the construction of section II, Larji-Mandi Road, are all covered by previous decisions of the Council.

The fourth motion is that "a sum of Rs. 2,00,000 for the acquisition of a playing-ground for the Central Training College be omitted."

**Diwan Bahadur Raja Narendra Nath** moved this motion, and, speaking in Urdu, said that the acquisition of land for a playing-ground was quite unnecessary as the boys could use the grounds of other colleges.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain** spoke in Urdu, and regretted that it had not been made clear that the money was not required only for a playing-ground, but also for the construction of quarters for the staff. Only Rs. 25,000 was required for the former purpose and the balance for land and buildings. He hoped that after this explanation the Council would sanction the amount asked for.

**Sardar Bahadur Sardar Meh'ab Singh.**—Sir, I submit that this is very irregular and misleading. The grant is noted for a playing-ground and at the 11th hour the Government say that it is required for some other purpose.....

**The Hon'ble the President.**—You can now only speak to the motion, which is that Rs. 2,00,000 be granted for the Central Training College. The Hon'ble Minister in charge has explained that the word "playing-ground" includes other works as well. You can speak to that grant.

**Sardar Bahadur Sardar Meh'ab Singh** continuing.—Sir, what has been entered in the Budget is that two lakhs are wanted for a playing-ground. This explana-

tion at the last moment that it is required for something else does not give opportunity to the Members of the Council to consider this aspect of the grant. In my opinion the Government should stick to what they have put down and they should reduce the grant by as much as is not required for the purpose mentioned, or give the Council sufficient time to enable them to consider and discuss it.

**Mian Muhammad Shah Nawaz**, speaking in Urdu, said that it appears that Rs. 1,75,000 of the money now asked for was for the construction of buildings for Government servants. He stated that it was a cause of great complaint among the people that the Government should go on acquiring land and building houses for its employees and thus go on causing great inconvenience to the rest of the public, particularly the residents of Lahore.

**The Hon'ble the President.**—You must keep to the point. The question is whether two lakhs be granted for the acquisition of this particular plot of land. There may be a general grievance in Lahore, but you must not go into that now.

**Mian Muhammad Shah Nawaz**, continuing to speak in Urdu, said that there was a great deal of feeling in Lahore on the matter, and he took objection to the manner also in which it was proposed to get this money. **Sardar Mehtab Singh** had already drawn attention to the fact that the notice was defective.

**The Hon'ble the President.**—If there is any strong feeling amongst the Members that this mistake has prejudiced the discussion, I shall ask the Government to bring in a supplementary grant. But if there is no such feeling, then I do not think that is necessary.

**Rai Sahib Sardar Harnam Singh**.—Sir, it appears to us that the Government wanted us to sanction this money under false pretences. I would, therefore, ask the Council to reject this grant in the manner in which it has been asked for. If the Government wants the money for build-

ing quarters, they should put it in the Revised Budget.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain**, who spoke in Urdu, said that he had already expressed his regret to the Council for the clerical error involved. He said that the acquisition of land for the construction of quarters for the Training College staff was very necessary, as everybody knew the great difficulty in Lahore of getting suitable accommodation. It was, moreover, very necessary and desirable that the staff should be housed near the institution.

The motion was then put to the Council and lost.

**The Hon'ble the President.**—The next motion before the Council is that "a sum of Rs. 80,000 for constructing a hostel for the Mayo School of Arts be omitted."

**Diwan Bahadur Raja Narendra Nath** spoke in Urdu, and said that before proceeding with this motion he would like to know whether it was all right and there was no mistake in this item.

**The Hon'ble Lala Harkishan Lal** replied in Urdu, and said that there was no mistake.

**Diwan Bahadur Raja Narendra Nath**, speaking in Urdu, remarked that the expenditure under discussion could very well be postponed to next year.

**The Hon'ble Lala Harkishan Lal** spoke in Urdu, and said that rented houses could not be found for students who came from outside for study and they were consequently put to great inconvenience. He further remarked that even if one could find out a rented house, *firstly*, it would be insufficient for the students and, *secondly*, the owner after a very short time would desire it to be vacated.

The motion was put and lost.

**The Hon'ble the President.**—The next motion before the Council is that "a sum



of Rs. 15,000 for constructing a residence for the Vice-Principal, Central Training College, be omitted."

**The Hon'ble the President.**—I shall now confine the discussion to the Mover and a reply from Government.

**Diwan Bahadur Raja Narendra Nath**, speaking in Urdu, said that his arguments were the same, and that he had nothing particular to say in moving his motion.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain**, speaking in Urdu, replied that the plot of land had been purchased by Government after litigation, and if the building in question would be postponed, it would mean that the money already invested was of no avail.

The motion was put to the Council and division was taken with the following result :—

For the motion	... 15
Against the motion	... 20
Majority against	... 5

The motion was lost.

**The Hon'ble the President.**—The next motion before the Council is that "a sum of Rs. 75,000 provided for the acquisition of land for the extension of Larji-Mandi Road be omitted."

**Diwan Bahadur Raja Narendra Nath.**—If the Council has agreed to the construction of the road, it is useless to press this item. I do not move this motion.

The motion was withdrawn.

**The Hon'ble the President.**—The next motion before the Council is that "a sum of Rs. 1,25,000 provided for the acquisition of land for and improvements to approaches to the new Telegraph Office at Lahore be omitted."

**The Hon'ble Lala Harkishan Lal.**—Sir, I would like to explain. There is a piece of land just opposite the Telegraph Office which is now going to be built upon. The Government think that a part of it

should be reserved. The land forms a triangle and lies near Plumers building. There is the Telegraph Office on one side, the Post Office on the other and the High Court further on. That triangle has been asked to be built on. Plans have been sanctioned by the Municipality, and the Government's fear is that it would be overcrowded, if we did not acquire a piece of that land for beautifying the town of Lahore. From a sanitary point of view also it would be proper to acquire the land. It has nothing to do with the Telegraph Office itself.

**Diwan Bahadur Raja Narendra Nath** spoke in Urdu, and said that the explanation given by the Hon'ble Minister for Agriculture rather went to support his motion. It was the business of the Municipality to look to the beauty and sanitation of the town. He strongly pressed his motion.

**The Hon'ble Lala Harkishan Lal** spoke in Urdu, and said that the Lahore Municipality did not care to spend much money on the Mall, and Government, therefore, used to spend money for the proper upkeep of this road. Moreover, the Municipality had to spend sufficient money on Education and Sanitation and Government did not think it proper to trouble the Municipality about works of that sort. The speaker remarked that the plot of land could very well be disposed of if Government stood in need of money.

The motion was put and a division taken with the following result :—

For the motion	... 43
Against the motion	... 10
Majority for	... 33

The motion was carried.

**The Hon'ble the President.**—The next motion before the Council is that "a sum of Rs. 1,00,000 under head Major Works—Judicial Department—Remedelling and extending the present High Court building at Lahore be omitted."

**Diwan Bahadur Raja Narendra Nath.**—Sir, I withdraw it.

The motion was withdrawn.

**The Hon'ble the President.**—The next motion before the Council is "that a sum of Rs. 21,000 under head Major Works—Police Department—Acquisition of adjoining plot for the extension of the Police Line, Lahore, be omitted."

**Diwan Bahadur Raja Narendra Nath.**—My objection is obvious. I should like to hear what the Government Member has to say in defence of this demand.

**Shelkh Asghar Ali** spoke in Urdu. He said that the existing Police Hospital was situated in Lahore City and Police Lines being outside the City the Police Department naturally felt great inconvenience. The question had been under consideration from the year 1907 and Government intended to take up the work under discussion in 1914 when War broke out and it could not do so. Rs. 21,000 were provided for purchasing land near Qila Gujjar Singh as the Inspector-General of Police was of opinion that, besides making a Police Hospital on that site, it could be used for extension of the Police Lines when necessity arose. The speaker pointed out that the plot under discussion was being acquired on moderate price, and if not purchased now, it would cost a good deal more afterwards.

**Diwan Bahadur Raja Narendra Nath.**—I do not wish to make any reply.

The motion that under major head 41—Civil Works—Police Department—Acquisition of adjoining plot for the extension of the Police Lines, Lahore, Rs. 21,000 be omitted, was put to the Council and carried.

**The Hon'ble the President.**—The next motion is that "under head 41—Civil Works Rs. 11,00,000 provided for certain works be omitted."

**Diwan Bahadur Raja Narendra Nath,** who spoke in Urdu, said that no

details had been given of this expenditure. He wanted to have detailed information as to why this item was required.

**Mian Muhammad Shah Nawaz.**—Is it for confidential works or certain works?

**Mr. C. M. King.**—Sir, I do not wonder that the Raja Sahib is rather surprised at this very large item, but it is purely an accounts matter. If he would look at page 23, part II. of the Budget, heading No. XXXV—Miscellaneous, he will see that the Budget Estimate for the sales of land and houses for the year 1921-22 is Rs. 11,84,000 and the Revised Estimate for last year is Rs. 32,000. The Budget Estimate for 1920-21 is Rs. 38,000 and the actuals Rs. 40,000. He will see, therefore, that roughly 11 lakhs is added on the income side. That 11 lakhs is the expenditure which we now propose on the expenditure side, and I will explain how that comes to be.

Members of this Council are aware that the Fort of Lahore is in the possession of the Military Department and is occupied by British troops. The Fort itself is a most inconvenient place for British troops. Its surroundings and approaches are not very desirable for them and the Military authorities from a social point of view wish to remove the troops from the Fort and hand over the whole of the Fort to the Punjab Government which will utilize it as a museum. In exchange for it the Punjab Government proposes to give them a plot of land in the Civil Station near the jail, on which they will build barracks. The cost of such barracks will be met by the sale of certain portions of Fort land in the town. The adjoining lands of the Fort will be sold, and it is estimated to bring in 11 lakhs, and that same 11 lakhs will be transferred by land near the jail where barracks will be built for the troops who are at present in the Fort. That is the explanation of it. The Military authorities want to get away from the Fort, and at the same time the Punjab Government wishes to acquire it to use for a museum and for the use of the public. On both sides you have the sum

of 11 lakhs. If you cut out, as Raja Sahib wishes to do, on the expenditure side, the sum of 11 lakhs will all also have to be reduced on the income side. Our Budget will be exactly the same. Besides you will not have the Fort which will be open to the public as a place of resort.

**Diwan Bahadur Raja Narendra Nath**, who spoke in Urdu, said he did not wish to waste the time of the Council after he had heard the explanation given by Mr. King, and he asked for leave to withdraw his motion.

The motion was by leave withdrawn.

**The Hon'ble the President.**—That closes the motion before the Council. Deducting the following amounts :—

	Rs.
Electric lighting, Ghora-gali School	10,000
New Hostel at Punjab Agricultural College...	75,000
Tube well at Taxali Gate ...	4,923
Purchase of residences for officials ...	75,000
Enclosure wall, Amritsar	19,000
Land for Police Lines, Lahore	91,000
Approaches to Telegraph Office, Lahore	1,25,000
<b>Total</b>	<b>3,99,923</b>

from the demand, there is a balance of Rs. 1,48,80,077. The motion before the Council is that this sum be granted under major head 41—Civil Works (Transferred).

The motion was carried.

**The Hon'ble the President.**—Mr. Minister, the Council grants you Rs. 1,48,80,077 under major head 41—Civil Works (Transferred).

## NOTICE TO MOVE A RESOLUTION ABOUT RELIGIOUS AND CHARITABLE ENDOWMENTS.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—With your permission, Sir, I want to give notice of a resolution which I want to move in the Council on the 14th of this month. The resolution runs as follows :—

“That this Council moves the Local Government to take early steps to introduce a Bill overhauling the Law relating to charitable and religious endowments in the Province, and pending the presentation and passing of that legislation, it moves the Governor-General to make and promulgate an Ordinance on the subject, so that the movement to alter and reform the existing management of such endowments may cease to threaten the peace and good government of the Province.”

**The Hon'ble the President.**—Mr. Secretary will you please take this and have a copy placed on the notice board at once and have it placed on a special agenda for 10-30 A.M. on Monday, the 14th instant.

## DISCUSSION ON GOVERNMENT'S DEMANDS FOR GRANTS—CONTINUED.

### FAMINE RELIEF AND INSURANCE GRANT.

**The Hon'ble the President.**—The next business before the Council is the Famine Relief and Insurance grant.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Sir, I do not want to detain the Council very long, or to give any lengthy explanation about the head for which I am asking the grant. That head is Famine Relief, and under this head I have to ask for Rs. 3,81,000, the provision of this amount having been made in conformity with paragraph 1 of Schedule IV of the Devolution Rules. I will explain in two words that this amount must be provided by the Local Government under that schedule of the Devolution Rules. This amount practically is to be used for averting famine in the Province and accounts for the amount

are to be kept. The amount will be with the general balances of the Governor-General of India in their accounts, and it will bear interest; I mean that the balance at the end of the year would bear interest at the rate at which the Government of India borrows money, and this amount would be spent either on protective irrigation works or in giving loans to the zamindars for tiding over their difficulties. I hope no other explanation on the subject is needed, and that the Council will vote this grant.

**The Hon'ble the President.**—The motion before the Council is that a sum of Rs. 3,81,000 be sanctioned under the head Famine Relief and Insurance.

The motion was carried.

#### SUPERANNUATION GRANT.

**Mr. B. T. Gibson.**—Sir, I beg leave to move that a grant of Rs. 31,09,000 be voted on account of Superannuation Allowances and Pensions. This grant requires a little explanation, and I do not propose to take up the time of the Council for more than a minute in discussing it. I should, however, like to explain one point. If you look at page 39 of the Financial Memorandum you will see that in our Budget Estimate under Superannuation and Retiring Allowances, there is an increase in this year's Revised of Rs. 2 lakhs and a further increase in the Budget Estimate for next year of 2½ lakhs. The Council will, I am sure, be glad to hear that this is due to a recent increase granted in small pensions. The Secretary of State

has recently sanctioned the following increases:—

On pensions up to Rs. 10  
a month ... Rs. 2 a month.

On pensions from Rs. 10  
to Rs. 20 a month ... „ 3 „

On pensions from Rs. 20  
to Rs. 30 a month ... „ 4 „

On pensions from Rs. 30  
to Rs. 40 a month ... „ 5 „

and on pensions from Rs. 40 to Rs. 45, an amount which should bring the total pension to Rs. 45.

This is the class of people who have been hardest hit by the economic conditions created by the War, and this is the class drawing small pensions, and I am sure that the Council will be glad to hear that the Government has been at last able to accord them a small measure of relief.

**Mr. Gajpat Rai.**—Sir, may I ask from what date these pensions come into force?

**Mr. B. T. Gibson.**—From the 1st December 1920. They have already come into force.

**The Hon'ble the President.**—The motion before the Council is that a sum of Rs. 31,09,000 be voted on account of major head 43—Superannuation Allowances and Pensions.

The motion was carried.

**The Hon'ble the President.**—The Council will now adjourn until 11-30 A.M. to-morrow morning.

## PUNJAB LEGISLATIVE COUNCIL.

*Saturday, 12th March 1921.*

The Council met at the Council Chamber at half-past eleven of the clock. The Hon'ble the President in the Chair.

### DISCUSSION ON GOVERNMENT'S DEMANDS FOR GRANTS.

#### STATIONERY GRANT.

The Hon'ble the President.—The Council will now proceed with the discussion of the Government's demands for grants. The first is for the Stationery grants.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Sir, I beg to move that a grant of Rs. 12,94,000 be voted on account of major head "46—Stationery and Printing" as shown in the following statement :—

	Rs.
Stationery purchased in the country	1,35,000
Government Presses	4,80,000
Printing at private presses	23,000
Lithography	65,000
Stationery supplied from Central Stores	4,91,000
Estimate of expenditure to be incurred in England	1,50,000
<b>Total</b>	<b>12,94,000</b>

The demand includes stationery both for reserved and transferred departments, as it was found impossible this year to separate the expenditure. The head "46—Stationery and Printing" is divided into 5 sub-heads, the most important of these is stationery supplied from Central Stores, and the great bulk of the stationery used in

Government offices is supplied from the Controller of Stationery, Calcutta, who, being in a position to indent for stationery in a larger quantity, obtains a good article at largely reduced rates. During the War many restrictions had been enforced, owing to the shortage of supply, on the consumption of stationery. The inconvenience in doing so was great and it would be uneconomical and impracticable to carry on with these economies now. However, indents for next year have been carefully scrutinized and pruned where necessary. When the Budget was framed it was anticipated that the price of stationery next year would be roughly about the same as was in 1919-20, but the latest information points to a 30 per cent increase in prices, so it may be necessary at a later date to apply to this Council for a supplementary grant.

Another reason for the increase under this sub-head is the daily increasing expansion of Government activities, especially in connection with the R-form Scheme, a minor illustration of which is the issue of the very detailed Budget Statements in the hands of the Members of the Council.

The next important sub-head is the Government Press, under which, as the details in paragraph 2 of the Financial Memorandum show, there has been a considerable increase in expenditure. The causes of increase are two :—

(1) As the Members of the Council are probably aware, Press employees everywhere have been agitating for increased rates of pay. Such increases have recently been sanctioned for the Local Govern-

ment Press employees on the basis of the increases granted by the Government of India Presses. This Press has been much under-staffed in the past and much of its routine work is in arrears. We hope to obtain additional men at the increased rates of pay that are being given to the men and with this increase in staff we hope to work off the arrears.

(2) The work of the Press is increasing greatly as the volume of work in headquarters increases. Here again the Reform Scheme is responsible for a considerable addition to the work that has to be done by the Press. We are giving attention to the teaching of press-composing to the boys in the Borstal Institution, and it is hoped that in a few years not only this Institution will be able to take over much of the form printing work, which is being done by the outside presses at present, but we shall be teaching some of the younger inmates of the jail a profession which will be useful to them in earning an honest wage when they get out into the world from their present incarceration. In order to increase the output of work, labour-saving machinery to the extent of 1½ lakhs is being purchased in England by the High Commissioner. This also accounts for the increase in the budget provision for 1921-22.

Third in importance is the sub-head—Stationery purchased in the country. This expenditure is on account of country stationery supplied to various Government departments. The Members will notice that the estimate for 1920-21 is less than the Revised Estimate for the current year and about the same as last year's actual figures.

Lithography is a small sub-head started chiefly for the printing of Government vernacular publications. This figure is somewhat larger than the current year's budget and the actuals for 1919-20. It is hoped that the extension of this method of printing will probably be appreciated.

With these few remarks I trust that the grant will be sanctioned.

**Rai Bahadur Lala Sewak Ram.**—Sir, the amendment in my name is that under head "46—Stationery and Printing" the item of Rs. 4,30,000 provided for Government Presses be reduced by Rs. 1,00,000. I see from this budget that on the receipt side income shown for Government Presses is only Rs. 1,18,000 of page 11 of the Appendix D. On the expenditure side the budget estimate for expenditure is Rs. 11,44,000. I want to find out if Government Press is working at such a great loss. What I understand is that Government Press charges all other departments of the Government for all the work that it does. If any work of the Government is done free of charge, I think they are only a few thousand forms. If you, Sir, even take that into consideration, I am not questioning the total expenditure of Rs. 11,44,000, but I am only questioning that the expenditure of Rs. 4,30,000 on Government Presses may be reduced by one lakh. Although I know that the expenses are rising every year, but when you will look on the Budget Estimate for Government Presses, you will find that each year there has been a rise from seventy to eighty thousand in the expenses of these Government Presses. If private presses like the Mufid-i-Am Press and others can pay for themselves, I do not see why Government should pay such an enormous amount of money for Government Presses. I think that an increase of Rs. 80,000 has been shown in demanding Rs. 4,30,000 for Government Presses. Government can easily reduce that sum, and if that can be done, it would be a very good thing.

**Mr. B. T. Gibson.**—Sir, I understand the Hon'ble Member's objection is that the Government Press does not pay. Well, Sir, the answer to that is that the Government Press only does printing for the Government departments, and whatever charges are made they are only adjusted by book transfer. We might increase our charges by 500 or 600 per cent; but it would be no use, because that would be taking out money out of one pocket of Government and putting it into



another. In the year 1919-20 the charges made from the Government departments for printing work done amounted to two lakhs. If the Member wishes we can increase this sum to any extent. It will not affect the Press. We do not do any printing work for private persons or bodies, and therefore we cannot possibly make a profit. The cause of the increase in the Budget Estimate for the next year as compared with the Budget Estimate of the current year which amounts to about one lakh is due to the increase in the cost of paper Rs. 30,000, and the rest is due to the very large increase we have had to give in the pay of the staff.

**Rai Bahadur Lala Sewak Ram.**—Sir, may I understand that whatever is done for Government offices, there is no amount credited to the Press side from these offices' side.

**Mr. B. T. Gibson.**—No, Sir. Whatever work is done for any department is debited to that department, and I can show the Member the figures of 1919-20.

**Rai Bahadur Lala Sewak Ram.**—Is it credited to the Press?

**Mr. B. T. Gibson.**—The income is debited to each department.

**The Hon'ble the President.**—I take it that the Member means to convey to the Council that the debit is only of a nominal sum and not of the cost price.

**Mr. B. T. Gibson.**—No, Sir, it only increases the expenditure of that department.

**Rai Bahadur Lala Sewak Ram.**—If the Government does not see its way to reduce the Budget Estimate by one lakh, I am quite prepared to withdraw my motion.

**The Hon'ble the President.**—The motion before the Council is that leave be given to Rai Bahadur Lala Sewak Ram to withdraw his motion.

The motion was by leave withdrawn.

**The Hon'ble the President.**—The next notice stands in the name of Sayad Muhammad Hussain.

**Mr. Ganpat Rai.**—Sir, he is not here, but he asked me to move the notice for him.

**The Hon'ble the President.**—I am afraid that is irregular.

There being no other motion in regard to this head, I will now put the original motion.

The motion that under head "46—Stationery and Printing" the item of Rs. 12,94,000 be voted was put to the Council and carried.

**The Hon'ble the President.**—Sardar Sahib, the Council grants you Rs. 12,94,000 under the major head "46—Stationery and Printing."

### MISCELLANEOUS GRANT.

**The Hon'ble the President.**—The next demand before the Council is the Miscellaneous grant.

**The Hon'ble Sir John Maynard.**—Sir, I beg to move that a grant of Rs. 39,02,000 be voted on account of major head "47—Miscellaneous" as shown in the following statement:—

(Figures in thousands.)

#### 47—MISCELLANEOUS.

<i>Minor head.</i>	<i>Amount.</i>
	<i>Rs.</i>
Rewards for proficiency in Oriental Languages and allowance to Language Examination Committees...	3
Donation for charitable purposes...	16
Charges on account of European vagrants, etc. ....	2
Rewards for destruction of wild animals ....	2
Petty establishments ....	5.84
Contributions ....	11.00
Miscellaneous and unforeseen charges ....	6.26
Miscellaneous refunds ....	5
Publicity Board ....	1.19

(Figures in thousands.)

Minor head.	Amount.
	Rs.
Lump provision for compensation for dearness of food	2,00
Lump provision for revision of establishment ...	25
Lump provision for increase of horse and camel allowances ...	3,25
Durbar presents and allowances to Vakils ...	5
Lump provision for increased cost of liveries, warm clothing, belts and badges ...	60
Lump provision for schedule of unallotted expenditure as per details below :—	
1. Standing Board of Economic Enquiry	20
2. Pay of contractors for supply of commodities to touring officers ...	2,00
3. Revision of contract contingencies for all offices	4,00
4. Increased rates of travelling allowance to 1st class officers and increased rate of halting allowance ...	2,00
5. Scheme for affording the educated classes in the Punjab facilities for obtaining a greater insight into some of the methods of the present administration ...	10
Total ...	39,02

The Hon'ble the President.—The next motion is that standing in the name of Raja Narendra Nath, namely, that "under major head '47—Miscellaneous' a sum of Rs. 1,19,000 on account of the Publicity Board be omitted."

Diwan Bahadur Raja Narendra Nath, speaking in Urdu, said that many of the Members apparently objected to this item of expenditure as he noticed that the other Members had brought similar

motions to his own. Referring to the "Haq" newspaper, which had been in existence for two years, he said that it had done no good whatever in the way of explaining the motives and policy of Government, and that he was afraid that the Publicity Board would be equally useless. In his opinion, therefore, the expenditure incurred in this connexion was a mere waste of money.

Mr. K. L. Rallia Ram, who spoke in Urdu, opposed the motion, and said that, in order to represent Government views correctly, it was essential that the Publicity Board should be carried on. The correct news relating to the policy of Government could only be disseminated through the medium of some publication, and in his opinion the Publicity Board was a very useful Department, both for the Government and the country. He gave several instances within his own knowledge of the ignorance of Government measures and public affairs generally amongst even the better educated classes. He suggested, however, that the Publicity Department would be a much greater success if non-officials were included in its governance. He hoped that under these circumstances the Council would vote for the grant asked for.

Sardar Bahadur Sardar Mehtab Singh.—Sir, this Publicity Department of the Punjab Government has somehow got into bad odour. It was started as a War measure, and as a War measure it has outlived its utility. People believe that the men in charge of this Department, and those who edit its articles, etc., being in the pay of the Government necessarily have to write in accordance with the wishes of Government. Then, Sir, Mr. K. L. Rallia Ram has given instance of a 5th High class student who told him that Lala Harkishan Lal was the Governor of the Punjab, a second instance he gave was that of boys in schools and colleges, except the Khalsa College, Amritsar boys, who told him that 90 per cent of the people of the Province lived in the cities and 10 per cent in the country. That may be a fine commentary

on the existing system of education, but it does not at all show how the Publicity Board is going to amend matters, because there are already so many papers in the Province to enlighten the public that one more agency of this kind is not going to effect much good. Another reason why the people are against this Publicity Board is that it is essentially a German institution. It was started first of all by Germany for propaganda purposes, and if that country could not achieve success by these methods, why should we go on wasting money over them in time of peace. The Government has lately adopted the doubtful method of issuing *communiqués* on all and every point. When the Government cannot vouchsafe for their truth, and establish the facts given out in its own *communiqués*, how can it hold itself responsible for the truth of the facts given out by the writers of the Publicity Board, who are after all paid for supporting the Government by showing only one side of the picture and thus only give out half-truths. Sir, "The Haq" is gone unwept, unhonoured and unsung, but it has left a legacy of "Na-Haq" behind it, and we fail to understand why we should be burdened with maintaining so many hands, when no newspaper is to be maintained. Even if the Government has to maintain the department, why cannot one, two or three men do the work. His Excellency can certify that this expense is necessary and spend the money, but we who represent public opinion should not be a party to it. There are thousands of newspapers in the Province which can be asked to give the Government version of any affair, and I would strongly urge this Council to refuse to grant this demand and thus abolish the Publicity Department which we do not want at all.

**Mr. P. J. Fagan.**—Sir, the amendment which has been moved is, I venture to think, based partly on scepticism as to the necessity of any publicity organization and partly on some misunderstanding as to what has been done and is being done in that direction. The subject of the necessity of a publicity organization is a

large one, but as time is brief, I must necessarily confine myself to a somewhat superficial treatment of the subject. A modern Government has not only to act and to administer but also to explain itself, its motives, its objects and its methods to the public. It has to endeavour to remove misunderstanding, to exhibit popular illusions as popular illusions, to try to dispel myths by rational explanations and the statement of hard facts. If Government has thus to be vocal, to be articulate, is it strange that it should require some definite organization for that purpose, some apparatus definitely adapted to enable it to be in constant communication with the public with whose interests it is charged? I dare say that I shall be met with the argument that that sort of organization is not found in other countries. Is it indeed so? I think that we have all heard of ministerial organs of the press and of the opposition organs of the press in England, France, America and in other countries. Is it not a fact that in those countries the ministerial press is in a broad sense one great publicity-machine for the Government of the day? Now, what is the traditional position here in India? I say, and I say it with regret and sorrow, that the only press in this country is that of the opposition. That press for the most part is in permanent, in remorseless opposition to the Government and compelled to be so as the condition of existing at all. I have no wish to say anything unduly harsh. But is it not the hard fact that with some honourable exceptions the Indian press is devoted not to the discharge of its grave responsibility of leading and guiding public opinion on rational lines but to giving therein to prejudice and other undesirable attitudes of mind on which it is needless for me to dwell.

Sir, it has been well said that "where there is no vision, the people perish;" and it is just in order to provide some measure of true vision of the objects of Government, of its methods and motives, that publicity organization has been undertaken, and that is why the publicity

organization exists. Such organizations have the cordial approval, I understand, of the Government of India and of the Secretary of State. They exist, I believe, in nearly all other Provinces—certainly in the big Provinces of India—and I do not know that they have been crushed in the new reformed Councils as it is apparently proposed to crush such organization in this Province. Before crushing it Members of this Council will, I think, do well to recollect the words of a wise man that “we are all fallible, apt to make mistakes, even the youngest of us.”

If a publicity organization has been found necessary in the past, I venture to urge on the Council that it will be no less necessary in the future. Under the reformed constitution as Government ceases to be what in the past it has been fashionable to term, not altogether correctly, bureaucratic, and becomes more popular, the necessity of some organization of this kind will, I urge, become more and more pressing. Ministers will naturally desire that the results of the working of the transferred departments committed to their care should be widely known and widely appreciated. It may be that at some future time with the evolution of the press of this country on sound lines, and with the development of rational political opinion, it will be possible that a press distributed between parties of diverse political outlook will provide ready-made machinery for the objects which it is now proposed to secure by means of this publicity organization. I trust that the Council will ponder carefully before it decides to crush, as it is apparently prepared to do, the whole of the organization which is at present at work.

In conclusion, I may be allowed to give a few examples of the sort of work which is at present being done. The “Haq,” as we all know, has ceased to exist. It was an organ which I venture to think contained excellent matter and in the anecdote which the Mover related to us about the Military officer who refused to recognise the “Haq” as a newspaper he uncon-

sciously paid it, I consider, the greatest possible compliment. The “Haq” having ceased to exist, it is proposed to devote the energy and the funds thus let loose to expanding our activities in other directions. Those directions briefly are, the preparation and circulation of pamphlets and leaflets, lectures and the contribution of articles to newspapers, together with any other activities which in the course of time may suggest themselves. And here I may mention that Government will be only too glad to have any assistance in the way of advice or suggestion from Members of this Council or from non-official gentlemen generally. During the past year from the 1st of April last over 20 pamphlets have been issued, of which many thousand copies have been printed and distributed.

I will give the names of a few of them, so that the Members may have an idea of the sort of subjects that have been treated. There have been pamphlets on Bolshevism, five pamphlets on reforms, a pamphlet on the very interesting subject of how to keep out of debt, one on cattle-breeding, a pamphlet on the cost of living in India, a pamphlet regarding the youngest Punjab colony, a pamphlet regarding a book named “Forty-four months in Germany and Turkey” by Hardyal, another pamphlet on agricultural work at Lyallpur, and many others of miscellaneous kinds. Then a large number of leaflets and posters have also been published. I should remark that all this work has been done during the time that the “Haq” has been in existence, and now that the publication of “Haq” has ceased, it will be possible to devote more time and attention to work of the kind which I have described. Of leaflets, one has been published which contains directions for Indian soldiers regarding rules and procedure for obtaining their pensions. A poster has been published showing in comparative form the terms settled with the various enemy countries. There have been a good number of leaflets on the subject of Bolshevism, another leaflet on the exchange problem, another consisting of a dialogue on voting at election, another on the sub-

ject of non-co-operation, and yet another dealing with the subject of Indians in East Africa.

'Then numerous articles have been contributed to newspapers. And here there is one thing which I should state and which I would like particularly to impress on the attention of the members of the Council, and that is that one of the objects of the Publicity Board is to cultivate and increase progressively relations of friendly reciprocity with the organs of the Provincial Press.

I have, I think, said what is necessary in connection with this motion. I hope that the Mover will not press for a division on the question. As I have already remarked a good deal is based on misunderstanding of the objects of the publicity organization and of the methods of work. We are fully prepared to receive and consider any suggestions and advice which may be tendered as to the methods which should be followed. This Council would be acting precipitately, rashly, and, I may go so far as to say, unwisely in signalizing its first session by bringing to an untimely end a movement which is making progress and which has been found to be useful and productive of good in other Provinces. At all events the Council, if it is really unfavourably disposed towards this organization, would, I think, be well-advised to allow one year for its further trial and instead of indulging in sceptical criticism to come forward and help to carry the work on in the direction of successful development.

Mian Muhammad Shah Nawaz, speaking in Urdu, said that some of the Government Members appeared to be under the impression that the "Haq" newspapers had done very good work. This was an entirely erroneous impression. It was purely a Government organ expressing only one view on public affairs. It did not, for instance, comment adversely on the Turkish peace terms, which was a question deeply affecting all Muhammadans, and it had never condemned the treatment meted out to Turkey. He said further that a Publicity

Board like that in the Punjab had not been established in any other Province, nor indeed did such boards exist in other countries. He thought the Members of the Council themselves were the best publicity propagandists the Government could possibly get. It was for them to educate their constituents in the doings and policy of Government, and the Publicity Board, as such, should be closed down.

The Hon'ble Lala Harkishan Lal, speaking in Urdu, said that it was not intended to employ the Publicity Board for the purpose of concealing or glossing over faults in the administration, but it was an absolutely necessary institution for the purpose of explaining to the public various Government activities, e.g., the benefits of the co-operation credit movement and the beneficial results derived by improvements effected by other Government departments, such as Agriculture, etc. It was most necessary for the public to know what Government was doing, and even if the money for this particular Publicity Board was not sanctioned, it did not mean that no money would be spent, as Government would have to communicate such information through some other agency, and money would have to be spent on that. He further pointed out that from the beginning it had been intended to invite non-official aid in this matter of publicity, and if the Council preferred it, they might nominate a few of their fellow-Members to assist in supervising the work of the board. Again, some of the staff of the Publicity board had agreements with Government till the end of October, and in any case they must be paid from some Government funds. Again, it had been said that no other countries had Publicity Board like that in the Punjab. This was entirely incorrect. He had himself received various pamphlets from Bureaus of Information in America for many years past, free of cost, which disseminated information relative to improved machinery and other facilities in the matter of trade and agriculture.

**The Hon'ble the President.**—The position is a little obscure, and I do not think the debate can go on satisfactorily without it being cleared up. From the Government Bench the Financial Commissioner made a speech in one tenor, and the Hon'ble Minister has now made a speech in another tenor. I understand the Hon'ble Minister now to say that the Council should allow this board to continue on the understanding that the management of the board will be in the hands of the elected Members of the Council jointly with the nominees of Government. Is that an offer from the Government, or merely an expression of the Hon'ble Minister's personal opinion?

**The Hon'ble Sir John Maynard** (after consultation with his colleagues).—The Government are prepared to make that offer.

**The Hon'ble the President.**—If this offer meets with your approval, Raja Sahib, the most convenient procedure will be for you to propose that a nominal reduction be made from this grant, so as to show the mind of the Council.

**Diwan Bahadur Raja Narendra Nath.**—I am not prepared to accept this suggestion. I wish to know how much of the grant is on account of the salaries of the men who are engaged for fixed terms.

**The Hon'ble the President.**—If you do not accept this suggestion, it may be better that the Government should withdraw their demand for this grant in full and come forward later on with a demand for a supplementary grant to finance a revised policy.

**Diwan Bahadur Raja Narendra Nath.**—This idea may be considered, but not at this moment. Government may come forward with an application for a supplementary grant later on, but not now. The sense of the House, as I understand it is that the whole of the grant should now be rejected, and that later on we

should consider how the Committee for publicity work—such work as can be called publicity, and as we consider to be justly describable by the word publicity—should be constituted.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—May I put the point referred to by my friend the Hon'ble Lala Harkishan Lal. If the grant is refused entirely, how are we to manage about the present staff, to whom we have to pay about 35,000 rupees a year. As explained by Lala Harkishan Lal, one of the officers is on an agreement with Government, and Government have to pay him up to October.

**The Hon'ble Lala Harkishan Lal.**—As discussion has started on my remarks, I may suggest that, if Raja Sahib would reduce his motion to, say, half, we can carry on for the present, and come forward as early as possible before the Council with a proposal for a supplementary demand and for a Committee to be appointed.

**Diwan Bahadur Raja Narendra Nath.**—The utmost I can do is to have my proposal reduced down to what Mr. Ganpat Rai proposes. He leaves Rs. 10,000 out of total sum. I was just going to consult Mr. Ganpat Rai as to whether he would allow me to merge my motion in his. If this Rs. 10,000 are voted, I think Government will be able to pay the officer referred to up to October. In the meantime Government may come forward with a fresh proposal for publicity work to meet the views of the Council, and also with an application for a supplementary grant.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—What about the other Members of the staff?

**Diwan Bahadur Raja Narendra Nath.**—Will not Rs. 10,000 suffice?

**The Hon'ble the President.**—In view of the doubt which exists I suggest that Government withdraw this demand and submit a supplementary demand on Saturday next.



**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—After consultation with my colleagues, I am prepared to withdraw the grant now and come again on Saturday next with a supplementary demand.

**Diwan Bahadur Raja Narendra Nath.**—Sir, is it in order? Having once made a demand, can Government withdraw at this stage.

**The Hon'ble the President.**—Unless the Council gives leave, Government cannot withdraw.

**The Hon'ble Sir John Maynard.**—The Government recognise that the feeling of the Council is against this grant, and that a complete change of policy is necessary.

**Diwan Bahadur Raja Narendra Nath.**—The Council insists upon the grant being voted upon now.

**The Hon'ble the President.**—Then the motion before the Council is, as it was before, that a sum of Rs. 1,19,000 be omitted. Does anybody wish to speak on this motion?

**Dr. C. A. Owen.**—I have listened with much interest to the speech by the Hon'ble Mr. Fagan, and I feel sure that the points elucidated will appeal to this Council and show that the publicity organization is run on sensible and reasonable lines and that the retention of it is advisable from every point of view. In 1914 a non-official agency "Punjab War News Association" was started and I was its first Secretary, and I submit that it served a useful purpose in combating rumours of all sorts that agitated the country. When I say that the ignorant classes were burying their ornaments and utensils fearing the Emden would come up the Ravi, it will point a moral for the use of publicity organization. By means of lectures, sending articles to the vernacular papers, much good was done. This project so appealed to Government that it eventually started its own organization.

We are now the Government and that distrust which is so veiled should now no longer exist. We have our own Members and they have our confidence, and we should rest assured on their *bond fides* that they will do what is best for our interest and the people at large. Whereas I said before the people are distrustful that the Government publications are one-sided and only meant to hoodwink us as to their real intentions, it is all the more reason that they ought to be in a position to refute the opinion we have of them. We are faced with serious trouble from Bolshevism, already the agents of this body are on the frontier and attempting to carry out their insidious and dreadful propaganda in this country, and we must be keenly alive to these efforts and take every possible step to put a stop to them. The offer of Mr. Fagan to include non-official Members in this publicity organization by giving them every opportunity to suggest matters and contribute items, is an earnest effort to prove that the action of Government is a laudable effort to improve the relations between the Government and the people, and not an attempt to subvert their interests. I am of opinion that grant should be allowed at least for two years and then the scheme can be judged on its merits, leaving it to the good sense of our elected Members to shake the policy that it will be carried out in such a way as to redound to the credit of Government that now exists.

**The Hon'ble the President.**—There seems to be some misunderstanding about my ruling just given. It would not be out of order for Government to apply for leave to withdraw their demand. What I ruled was that Government cannot withdraw a demand, once made, without the leave of the Council.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—I ask for leave to withdraw this particular demand.

**The Hon'ble the President.**—The motion before the Council is that leave be given to withdraw the item of Rs. 1,19,000 from the demand before the Council.

The motion was put and lost.

**Chaudhri Bans Gopal.**—I move that the question be now put.

The motion that the question be now put was carried.

**The Hon'ble the President.**—Do you wish to reply, Raja Sahib?

**Diwan Bahadur Raja Narendra Nath.**—I relinquish my right of replying.

The Hon'ble the President called upon the Hon'ble the Revenue Member to reply.

**Sardar Bahadur Sardar Mehtab Singh.**—If the Mover relinquishes his right to reply, how can the Hon'ble Member have the right of replying?

**The Hon'ble the President.**—The Hon'ble the Revenue Member is quite in order in speaking.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Briefly put, the question at stake is an important one. Briefly put, it is whether Government needs some means to take the people into confidence in regard to its measures, both administrative and legislative, to explain the activities of its department, to educate the people in their civil and political spheres of life and to controvert misleading ideas, well-known fallacies and unfounded rumours. In England the Government is a party Government and as such has its supporters in the Houses of the Parliament, who put the Government side of view before the Houses. The Government there has its party press to support the measures that it wishes to promulgate, while here in India the system of Government has not been assimilated to that which is in existence in England. Hitherto the administration of the country was carried on chiefly through the instrumentality of

the civil services and the criticisms from the public were not very vocal. This tended to produce a habit of reserve and aloofness in the minds of those responsible for the Government of the country.

**The Hon'ble the President.**—The Hon'ble Member should confine himself to the points that have been raised.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—I am coming to that after making a few remarks. I am simply giving reasons why we want the existence of such a department—nothing more nor less.

**Sardar Bahadur Sardar Mehtab Singh.**—It is an original speech moving the motion, and not a reply.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Sir, I strongly protest against that remark. But as you want me to deal with the objections that have been raised, I leave out that portion of my speech, and deal with them.

Mr. Shah Nawaz in his speech said that there are no publicity departments or publicity publications in other Provinces. In the United Provinces there is a Publicity Department which is being run up to the present moment.

**Mian Muhammad Shah Nawaz.**—I did not say that. I said that the methods in other Provinces were not the same as those adopted here.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—I may inform the Members of this Council that Government is quite prepared to welcome any assistance that might be given by the elected element in this Council, and if they would undertake to explain the ideas and policies of Government to the people, I think there would then be no necessity of carrying out any publicity work, but so long as that condition does not arise, we have to carry on something in the interval.

Raja Sahib in his opening remarks said that the time for lectures had gone. I think it is not gone. It has just come as my friend on the right has said. There are lectures and lectures. There are lectures in this Province which do not give the right sort of information to the public; and in some cases misleading language is used against the Government, and unless we do something to counteract that effect, we will be stultifying Government in this country.

Sardar Bahadur Sardar Mehtab Singh said there are many newspapers in this Province who are enlightening the public as to the proper information on the subject. I am afraid my friend does not know that that is not the case. We are now trying to get information into some of these papers in regard to certain events. But hitherto there has been a strong opposition in putting in anything in the newspapers which came from Government and which had any tinge of Government side.

He has further referred to Government *communiqués*. Even if Government has to issue *communiqués*, it shall require a department to prepare them. If this burden is to be borne by the present Secretariat, we should be faced with the necessity of having to strengthen the Secretariat still further. At any rate it would mean that we shall have to provide the expenditure for the necessary increase in the staff.

Sardar Bahadur Sardar Mehtab Singh also said in passing that perhaps the work could be done by two or three men. After a good deal of consideration of the necessities of the department, I am afraid we are not able to cut down our expenditure beyond what has been asked in our demand, i.e., a little over Rs. 35,000. I may also point out here particularly that if this demand is not voted, Government will be faced with a position in case of persons who have got definite agreements of being sued in the Civil Courts. Even the question of private service requires a sort of notice being given to the employees, if their services are not required. Surely the

Council does not want that simply by their votes, all these employes should be sent away to the world at large; so in lieu of notice, we shall have to give them pay which means a good deal of money. I hope that before the Council finally decides the question, or before the Council takes up its attitude, it will consider the question dispassionately, thinking what is necessary under the present circumstances of the country, as has been lucidly put by my friend Mr. Fagan.

The Hon'ble the President.—The motion before the Council is that under major head "47—Miscellaneous" the sum of Rs. 1,19,000 on account of Publicity Board be omitted.

A division was called for with the following results:—

For the motion	... 46
Against the motion	... 19
Majority for	... 27

Rai Bahadur Lala Sewak Ram.—Sir, I move that under head "47—Miscellaneous" the amount to be paid to contractors for supplies for touring officers be reduced to one half, i.e., Rs. 1,00,000.

My object in bringing this amendment is not that I am against this. I am very much in favour of this idea of the Government that for future comfort of the zaildars such an arrangement is being made with paid contractors who will make all arrangements for touring officers. I have brought this amendment for the reason that, as the thing is in an experimental stage, whether the Government would be prepared to reduce the demand by one lakh this year. It may amount to 3 or 4 lakhs next year, but this year things being in an experimental stage, perhaps the Government would be prepared to reduce this demand by one lakh. At the same time I would like to know from Government what would be the duties of these paid contractors. It will be an information to us to know the duties and functions of these paid contractors.

**Mr. D. J. Boyd.**—Sir, a *communiqué* was issued by Government explaining their duties. I regret I have not got a copy here, but all the newspapers received it.

**Mr. C. M. King.**—Sir, the duties of these contractors are to provide supplies of all kinds, such as grass, wood, charcoal, and in some cases they have to provide charpoys, eggs, fowls, and other estates when an officer is on tour. The reason why this experiment has been started is that for some time past it has been felt that the tours of officers in parts of the Province which are most frequently visited have proved an unnecessary burden on the people, and Sir John Maynard held a small conference at which certain *zaildars* were present, and finally decided that an experiment should be made by appointing contractors in certain larger villages, those contractors being responsible for the provision of all requirements for camps at rates which would be remunerative to them—the ordinary bazar rate *plus* 10 per cent. or something like that to cover the cost of carriage to the officers' camp. Sir, when this question was gone into, it was found that the amount of profit likely to accrue to these contractors in their actual sale was so small that it was necessary to pay those contractors a very substantial monthly income in order to get those persons willing and able to carry out these duties. If you paid those people less than a living wage, one of two things would happen; either the contractor would fail to provide the supplies which he was bound by his contract to supply, or else the contractor coming under the duress of the *Tahsildar* would probably try to get the supplies by more or less undesirable methods from people in the surrounding villages. The former state of affairs would of course lead to the abandonment of many tours and the latter case would mean a return to that state of things from which we are desirous of getting away. For these reasons it has been necessary to provide a large sum of Rs. 2 lakhs. It seems a very large sum, but if with that sum you relieve a large portion of the Province of

the burden which is being borne by them, or is likely to be borne by them, and which they are beginning to resent, to relieve them of that burden you would not be paying too much. I feel that this motion ought to appeal especially to rural Members who know exactly the sort of abuses that have unfortunately crept in. I may say here that this two lakhs is really only an experimental sum, and that it by no means represents the cost of providing contractors at all the stages at which it is desirable that contractors should be employed. I am afraid, therefore, that I am unable to accept Rai Bahadur Lala Sewak Ram's suggestion that this sum should be cut down by one lakh. I would like to do so but for the fact that it would not give us sufficient data on which to base our future proposals. We want to make our experiment on a fairly large scale and then next year we shall be able to come to the Council with, I hope, finished proposals for the whole Province.

**Rai Bahadur Lala Sewak Ram.**—Sir, I am quite satisfied with this explanation and beg to withdraw this motion.

The motion was by leave withdrawn.

**Rai Bahadur Lala Sewak Ram.**—My next motion, Sir, namely, that under head "47—Miscellaneous" revision of contract contingencies for all offices the sum of Rs. 4,00,000 be reduced by one-half, is also with the object of finding out what the details of these contingent charges are. I cannot see from the budget how these 4 lakhs are to be spent. On this information being given to me, I will be prepared to say something.

**Mr. B. T. Gibson.**—Sir, as was explained a few days ago these contracts for contingencies are fixed for a period of generally three years on the average expenditure of previous three years. The last time they were fixed in 1918, but they were again revised and fixed on 1st April 1919 for a period of three years. The total of these contract contingencies for the Province as then fixed was 14½ lakhs, but owing to enormous rise in the cost of

postage, telegraph charges and all other items of expenditure, which fall under contract contingencies, and which I can read out from this list if the Hon'ble Member desires; this amount was found to be quite insufficient. So it has been found necessary at the end of two years to revise it again. The actual expenditure in the first year of the new contract, that is to say, 1919-20, amounted to 18½ lakhs; in the very first year it exceeded the contract amount by 4 lakhs, and that is the reason why at the end of only two years we have to revise the contract again and we have to provide a sum of 4 lakhs on the previous total of 14½ lakhs to meet the extra expenditure. I understand the Hon'ble Mover wishes to have the list of the kind of expenditure under head "Contract Contingencies."

**Rai Bahadur Lala Sewak Ram.**—The list may be given afterwards.

**Mr. B. T. Gibson.**—I will lay it on the table for the information of the Hon'ble Member.

**Rai Bahadur Lala Sewak Ram.**—I am quite satisfied. I withdraw it.

The motion was withdrawn.

**The Hon'ble the President.**—Diwan Bahadur Raja Narendra Nath will now move that "under major head 31—Education—A—University—Scheme for affording the educated classes in the Punjab facilities for obtaining a greater insight into some of the methods of the present Administration a sum of Rs. 10,000 be omitted."

**Diwan Bahadur Raja Narendra Nath** spoke in Urdu, and said that his reasons were the same as argued in the discussion on Publicity Board. Moreover, he had expressed his views on the 9th March 1921 that such like facilities could well be provided in the schools, and that there was no necessity of providing this extra grant. In the opinion of the speaker the educated men who would go to see a thing would not return with any useful ideas.

**The Hon'ble Sir John Maynard.**—Sir, this is my own child. It is a very little one. It took me two years to persuade the Local Government to enable educated inhabitants of the Province to see things with their own eyes. It took two years more to persuade the Secretary of State that this was a reasonable proposition. Then the scheme came into existence, and I find that this Council immediately proposes to stifle it. There seems to be a misunderstanding with regard to this scheme. My friend, the Raja Sahib, has put it on the same footing as the Publicity Board. Of course, that means condemnation. It is enough to give a dog a bad name and then proceed to hang him. Sir, my dog does not deserve a bad name, and I trust that this Council will not hang him. The object why I brought it into existence was not only that I may be able to persuade people to take reasonable views of the policy of Government. I brought it into existence in order that people may be able to see with their own eyes certain things, which would open their eyes and minds. What has occurred during the last two or three days has shown that even the educated classes of this Province are in no way less in need of their eyes being opened. Sir, I do not say this in any spirit of disparagement of this Council. I should give you a concrete example, believing that it would be sufficient to show that there is really something yet to learn. I listened to the debate on agricultural matters and I heard the amusing dialogue read out by one of the Members about the manner in which a certain England-retained professor was questioned by his pupil. The pupil asked him several questions which were answered by the professor according to English methods and not in accordance with what existed in India, and the obvious insinuation was that the Agricultural College at Lyallpur was not adapted to Indian conditions. If a man were to go to the Lyallpur farm and see with his own eyes what is actually being done there, he would see that as a matter of fact Punjab methods and Indian methods are being used and not something

altogether different in which people of this country have no interest. Now, Sir, what is the remedy for the people who are labouring under misapprehension of this kind? There is a very simple remedy, and it is this that they should go to the spot and see with their own eyes what is actually being done. If any of these gentlemen would spend 10 rupees on a railway ticket and go to Lyallpur to see what is being done, there he would be satisfied with the work which is actually being done. The work, I know, will be found to be in accordance with the needs and requirements of the people of the Punjab. Now, Sir, my wish is simply to encourage the people to go to places where they can see things with their own eyes and find out facts. If the gentleman who talked recently about an elevator and evidently thought that it was some kind of a machine had gone to Lyallpur and seen the elevator with his own eyes, much of the misunderstanding would have been removed. It could do no one any harm. Now, Sir, I trust neither you nor any Member of this Council will attribute to me the evil design of practising bribery and corruption, but, Sir, with your permission I intend to close by making an offer to this Council. I propose that if those Members of this Council who would like to pay a visit to Lyallpur (provided the number is reasonable) and see things with their own eyes, will send in their name to my friend, Mr. Townsend, I will arrange for their visit and I will pay at all events part of the cost of it out of this grant which I am confident the Council will concede to me.

**Diwan Bahadur Raja Narendra Nath**, who spoke in Urdu, said it would be no use affording such facilities, as people never benefited by them. Those who were stupid remained stupid, and this expenditure would be wasted.

**The Hon'ble Sir John Maynard**—I have just a word to say, Sir. I understand my friend Raja Narendra Nath said it was no use spending this item

because people who were stupid remained stupid. That is perfectly true. There are some people who remain stupid whatever you may do for them. But the principle is that the average man learns by seeing, and that is the object of this scheme.

**Diwan Bahadur Raja Narendra Nath**, who spoke in Urdu, said that as the amount demanded was small, he would ask for leave to withdraw his motion.

The motion was by leave withdrawn.

**The Hon'ble the President**—The original motion before the Council, after deducting Rs. 1,19,000, which has been disallowed by the Council under major head "47—Miscellaneous" in regard to the Publicity Board, is that the sum of Rs. 37,83,000 be granted.

The motion was put to the Council and carried.

**The Hon'ble the President**—Sir John Maynard, the Council grants you a sum of Rs. 37,83,000 under major head "47—Miscellaneous."

#### PROVINCIAL LOANS (RESERVED) GRANT.

**The Hon'ble the President**—We will now take up the Provincial Loans (Reserved) grant.

**Mr. H. A. Casson**—Sir, on behalf of the Revenue Member I beg to move that a grant of Rs. 9,68,000 be voted on account of Provincial Loans (Reserved). The details are as follows:—

	Rs.
Loans for land improvements.	2,75,000
Loans to agriculturists for seed and bullocks.	5,50,000
Under the Co-operative Societies Act.	1,00,000
Provision for loans to tenants holding land for horse-breeding, etc.	48,000

Total ... 9,68,000



The amount provided last year was 9½ lakhs which had to be increased to 12½ lakhs. As there is no motion for the reduction of these items, it seems unnecessary for me to justify the demands made, and I trust that the Council will grant them in full.

The Hon'ble the President.—The motion before the Council is that a sum of Rs. 2,68,000 be voted on account of Provincial Loans (Reserved).

The motion was put and carried.

The Hon'ble the President.—The sum of Rs. 2,68,000 is granted on account of Provincial Loans (Reserved).

#### PROVINCIAL LOANS (TRANSFERRED) GRANT.

The Hon'ble the President.—There remains the Provincial Loans (Transferred) grant.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—Sir, I beg to move that a grant of Rs. 12,00,000 be voted on account of Provincial Loan (Transferred). This is meant for the local bodies, i.e., Municipal Committees and District Boards. The matter is an

apparent one, and does not require any explanation from me. I trust that the Council will grant the sum in full.

The motion that a sum of Rs. 12,00,000 be voted on account of Provincial Loans (Transferred) was put to the Council and carried.

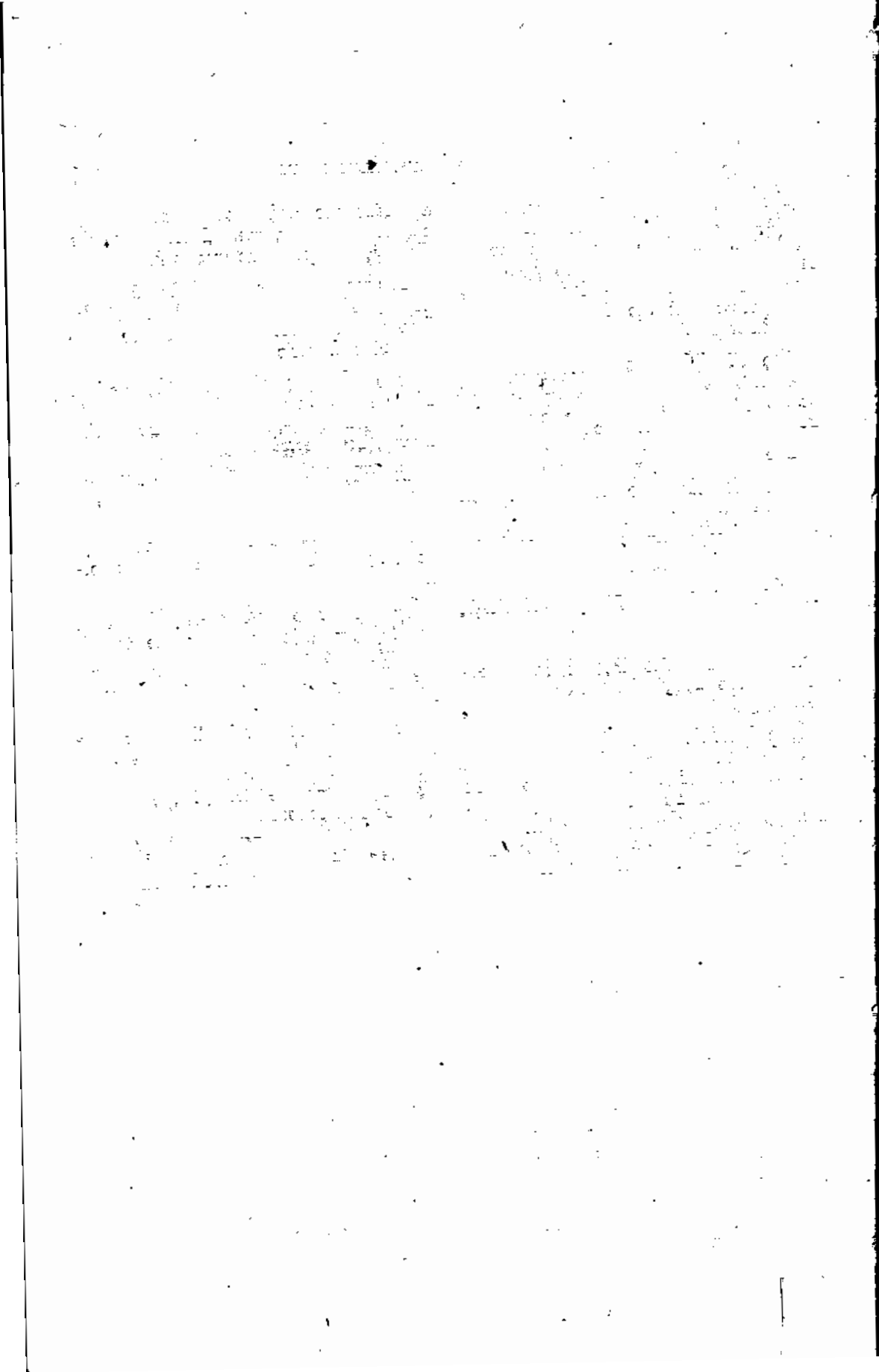
The Hon'ble the President.—Mr. Minister, a sum of Rs. 12,00,000 is sanctioned on account of Provincial Loans (Transferred).

The Hon'ble the President.—I draw the attention of Members to the fact that nominations for membership of the Committee on Public Accounts must be put in by 3 o'clock this afternoon.

By the same time there should be put in any amendment to the resolution which is to be brought forward by the Hon'ble the Education Minister on Monday.

Sir John Maynard, I think the Council will wish to congratulate you, Mr. Gibson, and perhaps also itself on the passing of the first Budget under the Reforms Scheme.

(The Council then adjourned until 10-30 on Monday, the 14th March.



## PUNJAB LEGISLATIVE COUNCIL.

*Monday, the 14th March 1921.*

The Council met at the Council Chamber at half-past ten of the clock. The Hon'ble the President in the Chair.

### PUBLIC ACCOUNTS COMMITTEE.

**The Hon'ble the President.**—I have to announce to the Council that the following members have been nominated as candidates for the Public Accounts Committee:—

1. Malik Firoz Khan.
2. Pandit Daulat Ram, Kalia.
3. Rai Bahadur Lala Sewak Ram.
4. Mr. Ganpat Rai.
5. Diwan Bahadur Raja Narendra Nath.
6. Sayad Ghulam Muhammad Shah.
7. Sayad Mehdi Shah.
8. Mian Muhammad Shah Nawaz.
9. Rai Sahib Sardar Harnam Singh.
10. Captain Sardar Gopal Singh.
11. Sardar Dasaundha Singh.
12. Maulvi Muharram Ali, Chishti.
13. Rai Sahib Lala Thakur Das.
14. Mr. Manohar Lal.
15. Sayad Muhammad Hussain.
16. Chaudhri Bans Gopal.
17. Sardar Jamal Khan.

There are 17 candidates and 12 vacancies. I shall hold the election at 11 o'clock on Thursday, the 17th.

### RESOLUTION RE CHARIT- ABLE AND RELIGIOUS ENDOWMENTS IN THE PROVINCE.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Sir, the resolution which I have to move runs as follows—some slight verbal alterations have been made in it:—

“That this Council recommends that the Local Government take early steps to introduce a Bill overhauling the law relating to charitable and religious endow-

ments in the Province, and, pending the presentation and passing of that legislation, it recommends that the Governor-General may be asked to make and promulgate an Ordinance on the subject, so that the movement to alter and reform the existing management of such endowments may cease to threaten the peace and good government of this Province.”

It will appear, Sir, from the wording of this resolution that the work to-day before this Council is a little different from the financial work that it has been doing during the last three weeks or so. Important as that financial work was, I feel, Sir, that the work to-day before the Council is, if anything, more important than the work that has been done by the Council during the past three weeks. It will be apparent that under the Reforms Scheme various departments of Government have been divided under two heads—the Reserved and the Transferred. The subject-matter of my resolution falls under the head ‘Transferred,’ and therefore, so far as this subject is concerned—the subject of charitable and religious endowments in this Province—its management and its administration, are both entirely in the hands of this Council, and to administer them well—in a way that accords with national needs—entirely rests in the hands of this Council. Government as such, or as it is believed to be, has no function other than that of carrying out the wishes of this Council in this matter. Now, as for the subject itself, it will be readily understood that in every country charitable endowments form an integral part of the social system. And in every country it is the Crown, the Government of the place, that is believed to be the trustee of those endowments—to see

that the objects for which those endowments have been created are fulfilled and that those persons who are placed in charge of those trusts carry out the objects for which those trusts were created. Wherever a trustee is found negligent, careless, or worse, dishonest, it is the business of the State to see that that trust work is supervised and that the trustee is made to act in accordance with the conditions of the trust. Now this part of the work, in countries where well-ordered Government has been in existence, for instance England, is carried out through various agencies, for instance, Charity Commissioners, whose functions are inquisitorial in the sense that they look into the administration of the trusts, as well as judicial in the sense that in case of defalcations they have the right and the power to decide disputes as they arise. So far as India is concerned, there are a number of legislative measures on the Statute Book, some of them dating very far back. One is Regulation XIX of 1810 of the Bengal Code Unrepealed Acts. The second is Regulation VII of 1817; third, Act XX of 1863; fourth, Act VI of 1890; fifth, the Provisions of the Civil Procedure Code; and sixth, Act XIV of 1920 relating to charitable societies. Now, the first two of these legislative measures do not apply to the Punjab. So far as Act XX of 1863 is concerned, though applicable to this Province, it can be left out of account, as there are no religious endowments which fall under its provisions. Act VI of 1890 has not been made much use of. Provisions of the Civil Procedure Code are thus the only ones under which religious and charitable endowments in this Province can be controlled by their beneficiaries. Under Act XIV of 1920, the latest legislative measure, certain facilities have been afforded to the beneficiaries to control the management, but I am afraid they do not go far enough; so the result is that in this Province, such legislative measures as exist, enabling the beneficiaries to control the management of trusts by the trustees, are enabling provisions, which the public at large cannot effectively

use. For instance, take the case of a particular *mahant* of a *gurdwara*, who is using the trust funds for purposes other than those for which they were intended. Now the law as it stands makes it obligatory on two, three or more beneficiaries of that trust to join together and go to the Deputy Commissioner and obtain permission from him to sue the *mahant*. That needs money, which they have to collect, and that needs time before they can prosecute their petition; and then the Deputy Commissioner may or may not grant permission. Then again they have to spend money on court-fees before they can put in their claim. Those who are acquainted with the troubles of litigation can easily realize that all these things make a call upon the time and money of the public-spirited persons who want to control the management of *gurdwaras*. Such litigation involves heavy expense in the shape of court-fees and other expenditure, and requires time and energy—conditions which our public-spirited persons and public bodies cannot always satisfy, with the result that the management of shrines and *gurdwaras* has been getting worse and the public demand has been becoming more acute. Moreover, it is believed that the awakening of national consciousness is to a certain extent responsible for the spirit of restlessness and dissatisfaction with the management of shrines and *gurdwaras*. That also is a factor which no legislature can easily afford to ignore. Sir, on the one hand we have the claim of the reformer who says, here are religious and charitable endowments being mismanaged, there are very many trustees who are not really fit and proper persons to remain trustees of such charitable and religious endowments; and as a matter of fact this work should be entrusted to those whose standard of morality is high and whose honesty is above suspicion, and, therefore, it is urged that inasmuch as the law, as it stands, is not sufficiently quick and inexpensive to grant us the relief that in all conscience we are entitled to, there is nothing perhaps left to do for us but in a way to take the law in our own hands and to do the best we can

It is, I believe, apparent, Sir, to the members of this Council that whenever there is a movement afoot—the movement which in its very essence involves change—there are always unfortunately in every country and in every community unscrupulous men who take advantage of the conditions of restlessness and promote their own selfish interests. On the other hand, there is the case of the managers of shrines and *gurdwaras* who are in possession. Their case, so far as I have been able to understand, is this. There are black sheep in every sphere of human activities. There are some of us perhaps who are not what they ought to be. But does that mean that all of us are bad? If not, why not have recourse to law or arbitration and single out the black sheep from amongst us. But why, just because there are some black sheep among us, as there are in other sections of the people, why condemn us all. We as citizens of the Province are entitled to be heard and we should get a fair hearing, and if we are not able to substantiate that we are worthy of the positions we occupy—that we are good managers—we have no right to remain in possession of *gurdwaras* and shrines. That contention of the persons in possession no one, in justice, can ignore. As a matter of fact when we plainly put forward the claim of the reformers on the one hand and the claim of the trustees of these shrines on the other, the issue narrows itself down to this. Wherever there is a man who is unworthy of holding the position of a trustee, or where the objects of the trust are not being served by the trustee who is in possession, he has no right to remain there. All that we need is a peaceful and calm atmosphere, wherein these issues can be settled, wherein misunderstandings can be removed, wherein grievances can be redressed. Now I believe, Sir, it is clear to the members of this Council that the existing law on the subject, which really consists of the provisions of the Civil Procedure Code, is not the ready remedy that is needed. As I have said before, it is too costly, it takes too long to work and the need of the time is that there should be some summary

and less expensive remedy than this, and that to my mind establishes the position that the law relating to endowments must be overhauled and that is, I think, the first work of its nature which this Council is called upon to perform, and to show that in performing this task it acts in accordance with the general spirit of Reforms. But it should be remembered that it is not so very easy to legislate. It is a tedious and lengthy matter. It requires time. First, we have to correctly appreciate the existing legal position. Then we have to correctly appreciate the demands of all concerned, and it is only then that we can sit down and draft a Bill for this Council. It cannot come to this Council, Sir, till it has been circulated, throughout the Province, for the District authorities and for the various religious endowments, both trustees and beneficiaries, to express their opinions on it. When this is done, it is only then that this Council can be in a position to deal with that Bill. It takes several months, while I claim that the need for legislation is imminent and immediate. Things have been, it will be readily acknowledged, Sir, getting from bad to worse. It is an unfortunate fact, about which members of this Council are not unaware, that since 1919 there has been a considerable dissatisfaction amongst the Sikh community so far as the management of their *gurdwaras* and shrines is concerned. It might have been in existence even before, but for the purposes of this resolution we need not go so far back. In 1919 there was a general dissatisfaction so far as the management of the Golden Temple, Amritsar, was concerned. It appears that Government, realizing that the public opinion on the subject was strong and fairly united, at once appointed a *sarbrah* and thus practically superseded the manager who had been there for a long time. This action does not appear to have given the satisfaction which it was intended to give to the Sikh community. And last year in the month of September it will be remembered that there was a trouble with reference to Rakabganj *Gurdwara* at Delhi. The following month in October a Sikh

Jatha took possession of Takht Akal Bunga of the Golden Temple. This incident was followed by a trouble at Babe Di Ber at Sialkot, and in November 1920 Panja Sahib at Hasanabdal was seized; and the following month, in December, Sacha Sunda *Gurdwara* at Sheikhpura was the one which was attacked. In January 1921 Chola Sahib *Gurdwara* in Amritsar was similarly treated. In the same month there was the incident of Tarn Taran *Gurdwara* which unfortunately resulted in bloodshed. When these incidents followed in quick succession, Government realized that it could no longer keep quiet in what it believed to be the religious affairs of a sensitive community, unless it was prepared to be accused of neglect of duty, with the result that on the 8th February 1921 a *communiqué* appeared stating that it is intended to legislate on the subject and as soon as the Council meet the subjects will be taken up. It appears that this announcement either failed to give satisfaction or the ardent reformers proceeded to precipitate matters, and a few days after this Khadar Sahib in the Amritsar District was seized by the Akali Jatha, and it is alleged, I do not know how far it is true, that there a Hindu place of worship was desecrated. And soon after this another *gurdwara* at Chuharkana in the Sheikhpura District was seized. Realising that the activities of the Akali Jatha were increasing, another step was taken by the Government with the sole object of leaving the settlement of these disputes to the members of the community, and it was suggested that on the one side there is Akali Jatha and the reformers and on the other there are other Sikhs, i.e., Sahajdhari, Mahants, Sants and Sadhus, claiming certain rights. Let both sides elect 40 men each and let them hold a conference, and wherever they can settle the differences by mutual compromise. Where they find that they cannot come to terms on certain points, those points may be put down with the object of getting them settled later on. It was also announced that on the 23rd February as soon as this Council meets, a resolution will be placed before the

Council with the object of going into the matter.

My colleague, Sardar Mehtab Singh, was going to propose this resolution. This was about the 15th of February. This announcement failed to achieve the object which it had in view. On the 20th of February occurred that incident, that horrible crime at Nankana Sahib, unparalleled in the history of the Province and one of which every *mahant* in the Province must feel ashamed. Throughout the Province, Sir, all communities, Hindus and Muhammadans, expressed their heartfelt sympathy with those who suffered in this tragedy, and the feeling of sympathy was, if I may say so, universal. One would have imagined that an incident like that would have sobered the enthusiasm of the Akali Jatha and that in a time of grief like that the activities of the Akali Jatha would have abated, but it is with considerable regret that I have to state that this did not happen. On the other hand, it appears that during this month—the month of March—in the first place, Sadhu Ram's *dharamsala* at Sheranwala Gate in Lahore was seized. A day or two later it was the *gurdwara* at Manakwala near Raewind that was similarly treated. It is also reported that the *gurdwara* at Gurusar Sutlani has been similarly attacked, and last of all on the 10th of this month the *gurdwara* of Kaure Sahib at Nankana Sahib is alleged to have been similarly treated. Now, Sir, can these proceedings be justified by any law-abiding citizen of this Province? Can it be said that these activities get inspiration from the noble motive of reforms, and therefore should be excused. Sir, in no case can the end justify the means. However noble the object in view may be, the procedure of these reformers is one that in a law-abiding country cannot be tolerated. What is the result? Civil Law—and by Civil Law I mean Civil Courts as distinct from Criminal Courts—can give relief to the person in possession under the Specific Relief Act within so many months of the occurrence. Under the Criminal Law any



person interfering in this way commits criminal trespass and can be proceeded against under the Criminal Procedure Code. What is the result. We find these reformers as well as their colleagues, who are perhaps not reformers, falling a prey to the Criminal Law and suffering accordingly. As I have stated, there is need for overhauling the law relating to the subject. It will take a long time, several months for us, to pass the law in this country on the subject. The need for legislation is pressing. The existing law chiefly on the criminal side can be used, is used, and has to be used in order to prevent disturbances, and its use I have no doubt every one in this Council must consider justified. The only course open to this Council under the circumstances is to decide to ask the Governor-General for an Ordinance, provided that in asking for that Ordinance we make it clear that that Ordinance is to meet the special occasion that has arisen, is to be limited in its operation, and is not to be such a violent measure as interferes with the civil rights of the citizens as such. This is the second part of my resolution, Sir, wherein I ask this Council to recommend to the Governor-General the formulating and promulgating of such an Ordinance, the main features of which will be something like this. What will be the constitution of the *Gurdwara* Commission that will be appointed under the Ordinance and what will be its jurisdiction? The ready way of dealing with an emergency like this is to appoint one man to go into the matter and settle all the disputes. That is the ready and rough way of dealing with the situation, but I feel that we should have an institution which not only works honestly, but also inspires confidence amongst the people for whom that institution exists. Taking this aspect of the case into consideration the suggestion that I have to place before the Council is that this Commission should consist of three members, two of whom should be non-officials. I need hardly say that these two non-official members will be Sikh gentlemen. What will fall within the jurisdiction of the Commission?

Is it intended that it should have jurisdiction over all *gurdwaras*, or is it intended that it should have jurisdiction over some only. My suggestion, Sir, which I place before this Council is that the jurisdiction of this Commission should extend over all the disputed *gurdwaras*. All *gurdwaras* need not come within the jurisdiction of this Commission. But every *gurdwara* which is contested, or which it is alleged is not being managed in accordance with the rules laid down by the creator of the endowment and is not serving the purpose for which it was created, could be declared by Government to fall under the jurisdiction of this Commission.

So having mentioned the constitution and jurisdiction of this Commission, I proceed further to state, Sir, what will be the powers and functions of this Commission. First and foremost it shall take charge of the contested *gurdwaras*. By saying take charge, I mean, Sir, that it shall manage its estate, but so far as worship is concerned it shall leave it absolutely uninterfered with. The usual customary worship shall go on in this *gurdwara* under the supervision of this Commission and the charge which it will hold of the estate will essentially be temporary, in no sense intended to be permanent. So far as the man in possession who was living on this shrine is concerned, naturally he has a right to be maintained, and it will be in the discretion of this Commission to make provision for him as well, if the funds of that institution permit.

It seems to me that these powers of the Commission will be ample to satisfy on the one hand the claims of the reformers and on the other hand the vested interest of the *mahants* and *pujaris* who are in possession and are enjoying these endowments. The mode of enquiry of this Commission will essentially be summary and rules will have to be made to enable this Commission to do all that is necessary to enable it to carry out the objects of this Ordinance. Wherever this Commission can smoothly compromise matters between the management on

the one hand and the reformers on the other, their jurisdiction will be final. So far as they come across cases which are contentious cases in which compromises cannot be brought about in a fair and equitable manner, their decision will be temporary, and those contentious cases will be taken over by Courts subsequently under a permanent legislation, failing which it will be the Civil Courts whose jurisdiction will prevail. These are the ideas, Sir, that I have as to the constitution, jurisdiction, functions and powers of this *Gurdwara* Commission.

There is but one thing more that I wish to add, and it is this. After all, the matter which this Council has to decide—the matter of charitable and religious endowments in general for permanent legislation and in particular for the purpose of this Ordinance—is a very important problem, as I said before, and also a very difficult problem, but surely it is not a problem that persons claiming to be fit to rule their country in its entirety should not be able to manage. It is a very trifling affair as compared with the administration of our country in all its branches. If we cannot bring two contending Sikh friends together to help them to bring about a compromise, settle differences, carry out reforms, but not at the expense of justice and law, surely we shall have sadly failed in the discharge of the first task which has devolved upon us. In suggesting this Ordinance, which is chiefly for the benefit of Sikh community, I wish to assure my Sikh colleagues that there is no desire on the part of Government or, so far as I have been able to gather, on the part of the Hindu and Muhammadan members of this Council to force an Ordinance on the Sikh community which is not welcomed by that community. It is for them to say whether they want an Ordinance to meet this emergency or not; whether they want it on the lines that I have outlined; if not, in what respects they would like to modify that outline. I can assure the Council that it will be my earnest endeavour to bring my suggestion with refer-

ence to this Ordinance in accordance with the suggestions that I receive from them, and I have no doubt members of this Council will realise their duty towards themselves as well as towards their Sikh brethren and help them in getting an Ordinance that will serve all just needs. With these remarks, Sir, assuring the Hon'ble Members of this Council once more that the whole matter is under the consideration of the Government, and this resolution has been placed before the Council with the chief object of eliciting suggestions from all members in the light of which suggestions the proposals for legislation will have to be evolved.

**Sayad Ghulam Muhammad Shah.**—Sir, the events which have induced the Hon'ble Mover to propose this resolution are, I believe, the recent occurrences in some of the Sikh *gurdwaras* of this Province. Although the resolution is general in its terms and most comprehensive in its scope, I cannot but think that it is based on consideration of facts which have, of late, attracted the attention of the whole Province. While I do not approve of the measures adopted by the Akalis and Jathas to take possession of the *gurdwaras*, I very strongly condemn the life of luxury, debauchery, and scandal which certainly prevails in most of the temples and *wahfs*. The charitable and religious endowments are after all public trusts and their managers or occupants the trustees of the public. It is a fundamental principle of the law of trusts that the trustees should be responsible to the public and liable to account for their income and expenditure. The present law does not ensure that, and the occupants of the endowments consider themselves absolutely free to do whatever they like with the funds of the institutions and in most cases this right of occupation descends to their issue as if by the ordinary laws of inheritance. Now this is what ought not to be, this is what the Akalis and the Jathadars say ought not to be, and this is what, I think, we councillors feel ought not to be. The evil which has excited the

indignation of the Sikh reformers is real and not imaginary and ought to be eradicated as soon as possible; otherwise what has happened with one community to-day may occur with another to-morrow. This is what this resolution aims at, and it can only be done by overhauling the whole law relating to religious and charitable endowments.

Sir, this resolution has another and more important part. It asks the Government to declare its attitude with definiteness and certainty towards the recent cases of forcible dispossession by issuing an Ordinance. I can hardly think that the Government has watched with indifference the events at Amritsar, Tarn Taran and Nankana Sahib, and yet rightly or wrongly it has preferred to remain silent in most cases. It is high time for the Government to take immediate steps to check this movement, as it is subversive of all law and order and contrary to the fundamental principle of social organization. This resolution is intended to fulfil both the objects and, Sir, I second it.

**Diwan Bahadur Raja Narendra Nath.**—Sir, I and many members of this Council have been considerably handicapped by the short notice that we have had of this resolution. You, Sir, dispensed with the fifteen days' notice and granted that concession which was necessary, but that has not lessened our difficulties in any way. The resolution, which the Hon'ble Minister has moved, is divided into two parts. The first part refers to the desirability of introducing a Bill overhauling the law relating to charitable and religious endowments in the Province. The second suggestion is the desirability of asking the Government of India to issue an Ordinance on the subject. So far as the Bill is concerned, it is not before us, and when it comes this Council will have ample opportunity of discussing it and of expressing its opinion on its provisions. I believe the principal object of bringing forward this resolution was to discuss the subject of the

Ordinance. That Ordinance is also not before us, but the Hon'ble Minister has given some idea of the lines on which it is proposed to draft it. It is very difficult for me, and I believe it will be difficult for some of the members of the Council, to give a definite opinion on a sketch so rough of the draft, but I should still like to make some observations. It seems to me that it was not absolutely necessary for the Hon'ble Minister to ask the consent of this Council before representing to the Government of India the necessity of issuing an Ordinance. He has, however, thought it wise and expedient to do so. Even if this Council refuses to give its assent to the desirability of asking the Government of India to issue an Ordinance, I believe the Local Government has the power of asking the Government of India that it requires such an Ordinance. And nothing will prevent the Government of India from issuing such an Ordinance if that Government is convinced that an Ordinance on the lines suggested is necessary. However, the Hon'ble Minister has thought it wise and expedient that as the Ordinance will relate to a matter concerning a transferred subject, a subject on which this Council has complete control, it was proper to consult the members of this Council about the desirability of issuing the Ordinance and about its contents. Now, Sir, as I said at the outset, I for one, and perhaps many others, are handicapped by not having in clear terms the draft of the Ordinance before us. But there is one point on which the Hon'ble Minister has said nothing. Ordinances are asked for and issued in matters in which the existing law is inadequate to meet the requirements of the occasion. He has not explained, and I for one am not convinced, that the provisions of the existing law are inadequate. I am not referring to the law relating to charitable endowments, etc., that he proposes to improve upon by other legislation with which he means

to come forward some time hence. I am referring to the provisions of the Criminal Procedure Code as embodied in section 145. It seems to me that that section has a wide scope and gives ample powers; and from the rough idea which the Hon'ble Minister has given us of the proposed Ordinance, I do not see in what respects the proposed Ordinance differs from the provisions of Criminal Procedure Code, except that it authorises Government to associate two non-officials in the enquiry. I do not remember having heard the Hon'ble Minister say that the orders of the Ordinance will be only temporary and subject to revision by the Civil Courts, but I understand that that is his intention, and possibly he will have no objection, after slight verbal alterations, to accepting my amendment. Now, Sir, if that is the case I do not see how the Ordinance solves the difficulty. It only postpones the solution. Well, Sir, the Commission—the *Gurdwara* Commission—which it is proposed to constitute under the Ordinance will give some orders. Those orders will either satisfy the *mahant* who is in possession, or will not satisfy him. These are the only two possible alternatives which can result from the orders. The party dissatisfied can, during the time that the Ordinance is in force, or after the expiry of the time that it has been in force, have recourse to Civil Courts, and the Civil Courts findings need not be in accordance with the findings of the Commission, which is appointed under the Ordinance. Difficulty will arise when the orders of the Civil Court have to be enforced against the findings of the *Gurdwara* Commission. If there had not been two conflicting authorities, the way would have been smoother; if there had been only one tribunal, the Civil Court, that had to issue orders, there would not be so much difficulty as would arise when there is a conflict between the findings of the *gurdwara* Commission and the Civil Court which adjudicates upon subsequent civil suits. I am therefore not only not convinced

about the necessity of asking Government for the issue of an Ordinance, but I think that the Ordinance will not in any way relieve the situation or lessen the difficulties, but will perhaps enhance them.

Then, Sir, while expressing my opinion on the body of the resolution, I may be permitted by you to say a few words with regard to the amendment of which I have given notice. The amendment is—

“Provided that the Ordinance does not oust the jurisdiction of Civil Courts or of such courts as the Bill which it is proposed to introduce establishes.”

It has been suggested to me that the jurisdiction of the Civil Court will only be exercised after the period for which the Ordinance is in force has expired. Well, Sir, as I said at the outset, I had only five minutes to think over this amendment, as I did not know at all what definite lines the Ordinance was going to take. I am quite prepared to accept the suggestion that has been made to me, that is, if the Ordinance is to issue—which I submit is not at all needed, at least I am not so far convinced that it is needed—the provisions of it ought to be safeguarded by the proviso contained in the amendment which I have proposed, namely, that the Ordinance should not oust the jurisdiction of the Civil Courts; for after all the enquiry by the Commission appointed by the Ordinance will only be a summary one; there will be no right of appeal, and there may be some matters of very great importance which may come up for decision before the *Gurdwara* Commission, and it would be unfair and unjust to give summary courts of the kind contemplated by the Ordinance final jurisdiction. We have analogies of this in other parts of our law. In Revenue Law we have the summary proceedings of Revenue Officers which can be subsequently questioned by Civil Courts; and there are other instances which I need not give, in which summary juris-

diction and summary enquiries are subject to the final jurisdiction of the final findings of the Civil Courts. The orders passed by the Ordinance should not be an exception to this general rule.

**The Hon'ble the President.**—Sardar Dasaundha Singh, you have given notice that you intend to-morrow to move the adjournment of the Council with regard to certain proceedings at Nankana Sahib and elsewhere. Those proceedings have been referred to in the debate to-day. I do not wish at this juncture to rule finally whether your motion will be in order or not. I must hear out this debate first. But I warn you that on your motion, if I do admit it, I shall not allow any discussion on the matters which have been or may be discussed in connection with this resolution. It is for you to decide whether you will speak in this debate or not.

**Sardar Dasaundha Singh.**—Sir, the proposed resolution is obviously meant to meet the very peculiar situation created by the tragedies at Nankana Sahib and Tarn Taran, and to meet the situation which has been created by the efforts, I would say the noble efforts, of the Sikh reformers. Now, Sir, it has even been admitted by the Hon'ble Mover that this is the main purpose of this resolution. If that is the end in view, I would say, Sir, that this is not the proper remedy for it. Our *gurdwaras* stand on a very different footing from ordinary religious and charitable endowments. I do not in the least want to say that there should be no reforms among the Muhammadans and that there should be no reforms among the Hindus: I would rather be too glad to see all the various temples, shrines, mosques and *khankahs* and their management reformed. But, Sir, if this common legislation is undertaken simply to meet the present situation, then there is a danger of very great misunderstanding. I would not in the least doubt the motive of the Hon'ble Mover. I quite realize the position of the Government and the position of the Hon'ble Minister too. I quite realize his

position because it is a transferred subject. But at the same time I would submit, Sir, with all the emphasis at my command, that unless the situation is read aright, unless the situation is properly appreciated, there can be no proper remedy of the problem. To understand this it is very necessary to see what the *gurdwaras* mean to us. The very word shows that a *gurdwara* means the Guru's place. Every Sikh charitable endowment or religious institution is not a *gurdwara*. We have our charitable endowments and our religious endowments as the Hindus and the Muhammadans have, but *gurdwaras* have a peculiarity about them and that is to be noticed before everything else. Now, Sir, if a *gurdwara* is badly managed, the Sikhs must go there, and reform it. They cannot, even if they want, have another *gurdwara* in place of that *gurdwara* which is mismanaged. Their religion requires it that they should go there and that they should pay their homage to their Gurus by going over there. But they cannot replace that *gurdwara* by another if they so desire, while in the case of other religious endowments it is possible. They can afford to wait till the misdemeanant or till the *mahant*, who does not behave properly, is ejected. But that is not the case with the Sikhs and with their *gurdwaras*. Now, Sir, this obvious difference between a *gurdwara* and an ordinary religious or charitable endowment can be seen from the very great intensity of feeling that has existed for some time past among the Sikhs against these *mahants*; and it may also be judged from the awful sacrifices that have been made by the Sikhs. Now, Sir, the intensity of feeling has not been sobered down, and it cannot be sobered down as the Hon'ble Mover of the resolution wishes. How this intensity of feeling can be sobered down by an awful outrage that was committed by the *mahant* or by certain persons, I would not like to say who they were, but this in a way, Sir, emphasises our position. It has naturally enraged the feelings of the Sikhs, be they Akali Jatha or other Sikhs. They should



be given and they deserve a very great credit for the restraint that they exercised upon their feelings. I would take the opportunity of saying that not a stone had been touched and not a life was injured, even though there was a very serious danger that the excited Sikhs might do something of the sort. But hitherto nothing of the sort has been done. Apart from this I would submit, Sir, that there is another misunderstanding about forcible possession.

Now, Sir, I am quite conscious and I am quite alive to the considerations of the institution of property. I quite understand the value of possession, but just as I submitted, Sir, in the case of *gurdwaras* possession should not be looked upon from the same point of view as is done in the case of secular property. I would go a little bit further and submit that in the case of *gurdwara* possession should not be looked upon in the same light as is done in the case of religious endowments or trusts. That stands on a different footing. For example, a few devoted Sikhs want to go to a *gurdwara*. They are bent upon going there and they go over there for the sake of worship and want to remain there. I believe, Sir, that the Sikhs, even the Akali Jatha, have not done anything more than this. They peacefully went there and wanted to stay there. I think, Sir, that no sane person would object to this attitude unless it is accompanied by force. No force was ever used by these persons, even though they were butchered, cut into pieces, killed, murdered and burnt alive, but they did not raise their finger. All that sacrifice speaks for itself, and it is for this reason that I want the first portion of the resolution to be simply devoted to the remedy that is so very urgent. If, as it is proposed, a common remedial legislation is undertaken for this purpose, then there will be a danger of misapprehension, then the Hindus and the Muhammadans cannot approach the question with the same sort of reverence that it requires.

Now, Sir, that is not a question of ordinary religious endowments. As my friend Diwan Bahadur Raja Narendra Nath said

that this Ordinance should not give any power to the Commissioners to override the provisions of the Civil Procedure Code, that is a thing which should be observed if the question of ordinary endowments were concerned. But where there is a very serious question, when the intensity of feeling is so great among the whole of the Sikh community, the like of which never existed before, I would submit that I have a serious objection to the first portion of this resolution, that is to say, it should not be devoted to a common purpose. It should be specified, as the occasion requires, for the special remedy that is so very necessary to meet the present juncture.

Then, Sir, as regards the Ordinance, much depends upon the wording of the Ordinance and upon the power that is given to the Commissioners. If this Ordinance is meant to remove this grievance of the Sikhs and if it is meant to remove the evils that have been exciting the Sikhs to such a high pitch of indignation, then this Ordinance will be quite welcome. I submit, Sir, that the enactment of this Ordinance or the recommendation that is to be sent to the Government of India by this Council, should be drafted in a spirit of reverence meant to satisfy the outraged feelings of the Sikhs and to remove these grievances of theirs. That, I am sure, will also be in the best interests of good government.

I was rather surprised to hear the remarks of the Hon'ble Mover that there are any two parties among the Sikhs. I say, Sir, with all the emphasis at my command that if there is any Sahajdhari Sikh and if he deserves that name, he would not object to a misdeemearing *mahant* being ousted. I do not think that any *mahant* or any person, who is keeping the Sikhs away from the *gurdwaras* and who is a hindrance in the way of devoted Sikhs in the performance of their rights of worship, has any sympathiser among my Hindu or Muhammadan friends. So, Sir, it is necessary to approach it in that spirit, and if that spirit is to be kept in view, then, so far as the



first part of this Ordinance is concerned, it should be given to understand, at the very outset, that two non-official members will be Sikhs who can inspire confidence among the people. Now, Sir, if Sikhs are appointed who are not liked by the community, then it should be just as good as having no Ordinance at all—rather it will have a still worse effect.

Now, Sir, if it has not been hitherto realised that all the *gurdwaras* are in dispute, then the position has not been sufficiently understood. There is no necessity of any further investigation about the matter that all the *gurdwaras*, are not in dispute. Rather the dispute is so very urgent that it should be settled in no time. As regards this paragraph, Sir, I would submit that those *gurdwaras*, those historical places, which are connected with the names of our Gurus, should be set apart at the very beginning and the names of all those *gurdwaras* may be given as being in dispute. We can easily afford to wait for the settlement of the question of *dharmshalas* and other places of worship, just as our Hindu and Muhammadan friends can wait, but so far as the decision of these *gurdwaras* is concerned, I do not think any Sikh is ready to wait till the Bill is passed into an Act, because that will take a very long time.

Then, Sir, as regards the powers and functions, if the idea is kept in view that the Ordinance is meant to solve this very difficult problem, then, Sir, I would submit that the powers of the Commissioners should be very vast. If this Ordinance is not meant to override the provisions of the Civil Procedure Code, then it would come to nought. It would be a meaningless thing, because in that way the difficult problem cannot be handled.

Then, Sir, similarly as regards the nature of the powers of the Commissioners and things like that. If the Commission is to inspire confidence in the people, then it should be vested with very strong powers so that the question should be

settled immediately. Then there is the question of the finality of decisions. That too is necessary, because if the cases settled by the Commissioners are to be disturbed after six months, then there will be a danger of serious trouble again; and I submit, Sir, that if this problem is to be solved satisfactorily, then it should be approached in this spirit, and in this spirit alone. In this way alone can the danger of future disturbance be averted.

**Sardar Bahadur Sardar Mehtab Singh.**—Mr. President, Lieutenant Sardar Ragbir Singh, who is President of the Sikh Council party, intended to address this Council and to advise the Sikh members of this Council as to the line they should take in regard to this resolution. Unfortunately his car has broken down and I have just received in this Council Chamber a telegram stating that he cannot attend. In these circumstances, I cannot do better than read his speech to the Council as my own.

Sikh Guru's commandments are, that men of the highest moral character and probity alone should hold charge of the *gurdwaras*. These men were further commanded to earn their own livelihood, and consider offerings and income of *gurdwaras* as rank poison, which would ruin and degrade them. Such income was to be only used for maintaining public kitchens, feeding the poor, supplying the wants of the needy, spreading religion and similar other purposes. Those who appropriated such revenues, for selfish or immoral purposes, were turned out of their posts and punished with death. Punishment of *massands* by the tenth Guru is an instance in point. Sir, Sikh history is replete with names of men like Bhai Mani Singh who preferred a crown of martyrdom by being cut into pieces rather than pay his fine out of the funds of the community, he being at the time the high priest of the Golden Temple at Amritsar.

In pre-British days in this Province, men of the highest character and integrity held charge of our sacred places.

They were held up as highest living ideals of selflessness, humility, honesty and public service.

Sir, it is yet within the living memory of men that such men used to spend their mornings and evenings in prayers and religious services and the intermediate interval in earning their own livelihood, very generally by manual labour.

Sir, the slightest suspicion of a slip from the path of strict rectitude was sufficient to deprive them of their post, as amongst the Sikhs men, women and children visit their religious places at all and every hour of the day and night and the men in charge had to be above suspicion.

On the advent of the British rule, however, the very word of "possession" acquired special significance, and unfortunately very little, if any, distinction at all was made between possession as owners and possession as servants of the public for carrying out the religious and charitable services connected with the *gurdwaras*. The result was that the incumbents began to feel and exercise personal rights in the endowments which soon led, as it was bound to lead, to the deterioration of their characters. The Sikhs were too stunned, by the blow depriving them of their empire, to offer much resistance to this encroachment upon their rights.

By the time they had rallied, their protests were of little avail, in face of the British theory of possession. If they persisted in their demands, the Government arranged matters by assuming the power of appointing managers, as in the case of the Golden Temple and the connected *gurdwaras*. Managers and *mahants* began to look upon the Government for protection and support against their masters, and the richer and larger institutions became virtually the departments of the Government, or at any rate dependents on the Government.

*Mahants* started the practice of nominating their relations or favourites as their

successors, regardless of their character or fitness for the post.

In proportion as the properties and incomes of the *gurdwaras* increased by canal irrigation and offerings, etc., etc., the *mahants* became more and more depraved. Bad characters flocked around them as *chelas* to lead easy and immoral lives. Resorting of desperate characters to our *gurdwaras* and their association with the *mahants* converted these sacred places of virtue and religion to brothels and dens of gamblers, drunkards, robbers and thieves. No man's honour and no woman's virtue was safe. Women of the highest families in the land were led astray from the path of duty and virtue and gave births to illegitimate children. Maidens were abducted and outraged. *Mahants* kept mistresses and concubines, and in doing so did not confine themselves to their own community. From prostitutes they had sons, whom they provided with millions worth of properties out of *gurdwara* funds.

The Sikh community looked and looked in vain to the Government for saving them from this scandal and degradation. In and out of the Punjab Council fruitless efforts were made to draw the sympathy of the Government. With the Reforms the Sikhs like other Indians began to feel that they were human beings and they naturally first turned their attention to the places sacred to their God and Gurus. Not having received that help and sympathy from the Government, which as His Most Gracious Majesty's loyal subjects was their rightful due, they determined to free themselves from religious degradation in their own way. We all admit that the way they have adopted is not the legal way. We do not approve of it, but we know, and ought to know, that desperate maladies require drastic remedies. The Government now at any rate recognises the seriousness of the situation. It now knows that it is no use asking people to spend weary years and lakhs of rupees for obtaining the services of proper men to look after their places of worship

when the incumbent can fight and defeat them with their own funds placed in his hands for charitable purposes.

Sir, the Sikhs are determined, and determined at the sacrifices of their lives, if need be, as they have demonstrated at Tarn Taran and Nankana Sahib, no longer to allow their places of worship to be used as brothels and cess-pools of vice. If Government even now remedies these evils, well and good, the Sikhs shall be grateful, otherwise our path of religious duty is clear. No doubt it is an evil way to govern, as well as to be governed, by Ordinances. It is still worse to agree to be governed by an Ordinance, the provisions of which remain secret and are sprung upon us suddenly, and when we have had no time and opportunity to examine them. Sir, the Sikh members of this Council are not unmindful of the recent happenings at Lahore and Nankana Sahib. They expect similar news from other parts of the Province. Government has to do its duty as the Sikhs have to do theirs. We the Sikh members envy the good fortune of those who have earned the crown of martyrdom or are now in jail for the sake of their religion.

In spite of all these things the Sikh members do not wish to stand in the way of the Government, and if possible shall render it every assistance in their power. Situated as we are, however, I shall advise the Sikh members to keep their minds and hands free for their community's service for the time when the Ordinance is promulgated or contemplated legislation is introduced, and in the meanwhile to stand aloof and neither support nor oppose the Government on this resolution.

The Hon'ble the President.—So far as I understand, no member has as yet opposed the resolution. Does the Council wish to discuss it any further?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—The object of the Government is not to pass the resolution as it

stands; but to elicit information from the members who still have valuable suggestions to make. I shall be grateful if they are given an opportunity to speak.

The Hon'ble the President.—Very well.

Rai Bahadur Lala Hari Chand.—I support the resolution strongly. It has been said by my two friends that there are some bad managers of *gurdwaras*. Why they should not be expelled. The question now is how to stop the quarrel that is now going on between the Sikh communities. I submit there are four classes of Sikhs. My friend, Mr. Fazl-i-Husain, has used only the word Sikhs, but he has not defined the four classes of sikhs: (1) Tat Khalsa, (2) Sanatan Sikhs, (3) Sahajdhari, and (4) Nirmala, Udasi and all *faqir*. Now what I mean to say is this that quarrels are arising between three classes on one side and one class on the other side, i.e., Tat Khalsa on one side and Sahajdhari, Sanatani, Nirmala and Udasi on the other.

I am not going to defend the Nankana Sahib and Tarn Taran tragedies, but I can tell you what I have seen in my part of the country, i.e., Multan. About a year ago we collected thousands of rupees and built a *dharmshala*. Now the dispute arose about the *gaddi*. The Sahajdharis wanted their own man and the Nirmalas their own. I remember the Hon'ble Sardar Bahadur Sardar Sundar Singh was approached on the matter by some party.

The Hon'ble Sardar Bahadur Sardar Sundar Singh.—I rise to explain. I never entered into any dispute about it.

Rai Bahadur Lala Hari Chand.—The matter approached the Deputy Commissioner, and he suggested that the parties should appoint an arbitrator and settle their dispute. Now the other party did not agree. If anybody has seen Multan, you will find that all the *mahants* are afraid. They go to the Deputy Commissioner and say their *dharmshalas* will probably be taken away from their possession.

Now is it not necessary to stop all these things and to ask for an Ordinance. Section 145 has been referred to. We have discussed it in connection with the *dharma-salas* and have come to the conclusion that it gives no benefit. It will be necessary in my humble opinion that such an Ordinance should be asked for. It was very necessary that Government should take some steps to stop these feelings going on among the Sikhs. I do not defend the Tarn Taran or Nankana Sahib tragedies. Those who are bad people must be turned out, but the question is whether all people who are being turned out are bad characters. Nobody can say that they are bad characters. Therefore I earnestly appeal to the Council that they should agree to that Ordinance. Now my friend Baba Hardit Singh, who is a leader of the Sikhs, will, I hope, be able to explain everything.

Baba Hardit Singh, Bedi, speaking in Urdu, said—In seconding the resolution moved by my learned friend, Khan Bahadur Mian Fazl-i-Husain, I would make the submission that such a law was needed before this. The present situation, the quarrels between Akali Jathas and the Mahants, and the consequences that have ensued therefrom, have brought home to us the necessity of framing a law which should prevent such disturbances in the future. Such a law, I think, must be enacted so that every one's rights may be safeguarded. There is no doubt that among the Mahants and custodians of temples there may be persons whose management or character are open to objection, who make an unlawful use of the income of *gurdwaras* (temples), or who do not follow the fundamental principles of their sect. It is desirable that such persons should be replaced by more deserving persons of the same sect, the latter keeping an account of the yearly income and expenditure for the satisfaction of the public. In order to achieve this object, it is necessary to enact a law which would put an end to all troubles, but at the same time care should be taken

that a temple which happens to be in the possession of a particular sect should remain in the possession of the same sect. For instance, a temple which is under the management of an Udasi should not be put under the charge of a person belonging to the Nirmala sect. Similarly, a temple, of which the custodian happens to be a person belonging to the Nirmala sect should not be put under the management of a person belonging to a different sect. The committee which is to be appointed to go into these matters should not consist of persons holding identical views. On the contrary, persons of all sects and views should be appointed to the committee. It is important to point out that there are several branches of the Sikh religion founded by Guru Nanak Devji, e.g., there are the Sanatan Sikhs in which are included Bedis, Sodhis, Bhallas, Nirhittar, Narnkaries, etc. Secondly, there are the Tat Khalsas (neo-Sikhs), the third branch is called the Sahajdharis, and fourthly there are Udasis, Nirmalas, Suthras, Namdharis, etc. They all have equal right of worship in all the *gurdwaras*. No one, however, has the right to alter the method of worship that has been followed in a particular *gurdwara* all along. Briefly speaking: there are two chief branches of the Sikhs, one Sahajdhari Sikhs who have not been initiated but who acknowledge the ten Gurus as their guide, the other branch is composed of the Sikhs who have been initiated. There are two sub-sections of the latter, i.e., Sanatan Sikhs and Tat Khalsas. It would be best if one person from each branch was selected, i.e., three persons in all, one Sahajdhari Sikh, one Sanatan Sikh and one Tat Khalsa Sikh. A representative should also be taken from among the Mahants, because their number is very large and they acknowledge the same spiritual guide. All these four persons should decide every matter. The committee should not consist of persons belonging to one and the same sect and holding identical views. In that case persons holding different views will have a grievance and no satisfactory result will ensue.

**Khan Bahadur Raja Muhammad Akbar Khan**, who spoke in Urdu, said he agreed with the Hon'ble Minister for Education that such an Ordinance was really necessary. He did not like to recapitulate the whole facts. In the absence of permanent legislation on the subject, it was absolutely necessary to have the Ordinance in order to be able to stop all further trouble for the next six months.

**Rai Sahib Thakar Das**, who spoke in Urdu, said recently there had been many troubles with regard to the shrines. The Nanakana Sahib incident was a deplorable one. In order to avoid all further trouble, it was necessary to have some legislation on the point. The Local Government could ask the Government of India without the assent of the Council for an Ordinance, but it had thought fit to consult this Council. All *Mahants* should not be turned out of their *dharmshalas*.

In order to protect the interests of the Sikh community, Government thought it advisable, and rightly too, to promulgate an Ordinance in connection with the *gurdwara* movement. He felt certain that they would not have been so ready to do this if the Hindus and the Muhammadans had been concerned, but they wanted specially to look after the interests of the Sikhs. It was therefore incumbent upon all communities, and upon the Sikhs in particular, to co-operate with Government in their endeavour to settle the prevailing unrest by the issue of an Ordinance, and he hoped that all members would support the resolution.

The Council adjourned for lunch.

**The Hon'ble the President.**—The discussion will now proceed on Diwan Bahadur Raja Narendra Nath's amendment. Does any body wish to speak to the amendment?

**Chaudhri Muhammad Amin** spoke in Urdu, and said that the amendment proposed by Diwan Bahadur Raja Narendra Nath was unnecessary, because after the expiry of the period of the Ordinance anybody could go and seek remedy in a Civil Court.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Raja Sahib's amendment is to the effect that the jurisdiction of this Commission should extend to decide certain cases temporarily, and that on the expiry of the period of Ordinance, that is to say six months, those decisions be open to reconsideration either by the Civil Courts or by such courts as may be established by the Bill. The position, as stated in this proposal, is, so far as I can judge, fairly reasonable. At the same time another position that has been brought to my notice by certain Sikh Members of this Council is that Civil Court's procedure is cumbrous and expensive. This legislation is contemplated with the sole object of avoiding lengthy and expensive litigation. Therefore they urge that it is in the interest of everybody that there should be a certain finality attached to those decisions at which this Commission would arrive. I see, Sir, that there is a good deal to be said on either side. Government at this stage is not committed to either and is prepared to consider the merits and demerits of the amendment of Raja Sahib, as it appeals to the Members of this Council. It will be in the light of the opinion expressed in this Council that Government will be very largely guided in this matter. In other words, if Government finds that this Council wants the findings of the *Gurdwara* Commission to have finality, that is, they should not be impeached subsequently when the period of the Ordinance is over, no doubt Government will attach considerable weight to the opinion of this Council. If, on the other hand, it is found that this Council is anxious that there should be no finality attached to the decisions arrived at by the Commission, Government will have no objection to it. I am content to leave this matter, Sir, in the hands of this Council, and the Government will be guided by the view expressed by this Council on the subject.

**Sardar Dasaundha Singh.**—I wish to say a few words on the amendment. Just as I submitted before, if the Ordinance is

to serve the right purpose, then that Ordinance or the Commissioners who are appointed under that Ordinance should be given full powers to meet the situation that is required to be met. Now as Raja Sahib proposes "provided that the Ordinance does not oust the jurisdiction of Civil Courts or of such Courts as the Bill which it is proposed to establish," just as the Hon'ble Mover remarks, if it means that the jurisdiction of the Civil Courts should not be ousted during the pendency of the Ordinance, then the Ordinance means nothing, and if all the decisions are to be upset after the Ordinance is over, then the same trouble will arise. It is for this purpose that I appeal to the Members of this Council to look on this point as a special point, as a point which concerns the Sikhs alone, and it was for that reason that I appealed to the Members to look on it as a separate question from the rest of the endowments because it requires special treatment. If it is not looked upon in that light, if the Members confuse it with other endowments and other religious trusts, then the problem that is to be solved will never be solved. It is a very difficult problem, and it is just possible that some mistake may be made at this critical time from which dangerous consequences may ensue. It is for this purpose in view that I say that this amendment should never be accepted.

The Hon'ble Lala Harkishan Lal, who spoke in Urdu, said two meanings were being given to this amendment. Some considered that the two Sikhs who would be on the Commission would not act impartially, and some suggested that in order to safeguard the interests of all there should be more than two members. With the permission of the Hon'ble President he suggested that Mr. Ganpat Rai's amendment should be dealt with first.

The Hon'ble the President.—Do you wish to raise any objection, Raja Sahib?

Diwan Bahadur Raja Narendra Nath.—I have no objection, Sir.

The Hon'ble the President.—Mr. Ganpat Rai, will you move your amendment.

Mr. Ganpat Rai.—Sir, I move the following amendment to be added at the end of the resolution :—

"Provided that, if the Ordinance proposed appoints a Commission or Tribunal, it shall consist of not less than five non-official members."

Before I say why I have suggested that there should be five non-official members, I should like to prefix my motion with the following remarks :—

When I rise to speak on this motion, I do so, in the first place, as a Sahajdhari Sikh, in whose family the Granth Sahib and the Gurus have been admired and worshipped as inother Sahajdhari families, recognised as Sikhs in the census papers and for all practical purposes in the social circle, in the second as an Advocate of the Keshdhari Sikhs and Sahajdhari Sikhs, represented in thousands of families in the sons of the same father and mother, in the other dearest relations of the blood and by ties of marriage lasting since centuries. No one would have questioned my authority, except for the differences which have been of late arising and have reached a stage which every one should regret and which has compelled the present motion to be placed before the Council.

Punjab, of all places, should be the last to give an occasion, when the first instalment of Swarajya has been given, for this to be said about it that those, who are leading its destinies in the different sections of its varied community, are unable to look after the people and see order restored whence all order should spring to every other place, *vis.*, in the House of God, where its people have been worshipping their Lord in peace, during the most troublous as well as peaceful times.

The Act and the Ordinance, which the Minister in charge of Religious Endowments is going to move, indicate that a condition of things has been brought



about in the Punjab, which is extraordinary in its nature and requires exceptional legislation to stop the mischief which is going on. There can be no manner of doubt that the Government action is entirely justified. The Nankana tragedy, with all its horrors, for which every Hindu and Muhammadan has expressed sympathy with those who are killed, with its reports in the Press which have accentuated class differences, with what has been going on at the place and its neighbourhood by passions which became excited and by the unruly element, which then crops up, has not closed the chapter. There are reasons to believe worse things might happen in the case of other *gurdwaras*. There is no knowing the Hindu and Moslem may not follow suit. Notices have been already received by some of those in charge of Hindu shrines.

But is it not a case where the Council should be able to give assurances of restoring the normal condition of things which existed before the law was taken in hand, with only one exception, and that of improving the management in each shrine, not the method of worship, unless it were a recent introduction by any particular *Mahant*, according to his own will and pleasure. If, as is being alleged, the innovations were introduced by Maharaja Ranjit Singh, even if this were the case, it is hardly fair that a small minority of the worshippers at those shrines should introduce forms not acceptable to the majority. There have been reforms before this by the Nirankaries, Namdharis, and others. They have set up their own places of worship and have not forced the reforms in the older ones. If, during the Moslem times, even now in some of the places, Hindu in others, and the Sikh in the Punjab, the lion and the lamb, the Singh and the humbler Sahajdhari or Hindu, could drink and can drink at the same fountain of truth, is there any reason why this should be made difficult in a more enlightened age. In Hyderabad, where His Highness the Nizam rules, in Benares, where a Hindu Raja rules, in Patna where an Indian Governor is ruling,

and in every Indian State, the old method of worship is going on and no disturbances have arisen, why then has such a thing happened in the Punjab, which is the home of the stalwart Sikh as well as his humbler brother, a Sahajdhari? Go to Hardwar and you find above the Har ki Pohri the Maharajas of Patiala, Nabha, Jammu and Poonch owned their houses, where they and their Maharanis, when they come, and the common people allowed to reside there, carry on their worship of Ganga and the Granth Sahib simultaneously. You find similarly the Darbar Sahib at Amritsar, surrounded by Hindu deities and Hindu places of worship and the Samadh of the Fifth Gura ornamented by Hindu Gods and Goddesses and Hindu scenes, most of them, or perhaps all, taken from the Granth Sahib, where they were referred to. Such places with a common worship, going on side by side, will be found in the Punjab in large numbers. Did not the tolerant Hindu teach the Mogul Emperor to allow the worship of Hindu Gods and Goddesses by Hindu Princesses to go on within the fort? Did he not adopt some of the Moslem Institutions and gradually influence the Muhammadan to adopt his? If the Hindu mind is shocked at what has been done without caring for it and his forms of worship and his deities have been desecrated, no wonder even the Hindu has done things which offend the Sikh. Why should not a small party of Hindus and Sikhs go to every place to see normal conditions restored, take steps for improving the management in every shrine, leaving the form of worship as it is, to be improved, if necessary, by mutual love and not by force. I hope my friends will see that the dark spot on Punjab's fame is obliterated and that this Council may not be compelled to make it permanent in the records which it will leave for posterity.

Sir, with these remarks I would suggest that, as some of the Members have told the Council, because there are four main divisions of Sikhs—Tat Khalsa, Sahajdharis, Sanatan Dharam Sikhs, and the sect represented by

Sadhus, Udasis and Nirmalas—there ought to be five members. If there are only three members it may not be an absolutely impartial committee. If there are five members every class of Sikhs will be adequately represented and there can be no grievance. In fact I would go further and say that an orthodox Hindu and a Muhammadan should also be on the committee, because it is a well-known fact that to certain *gurdwaras* large properties have been given by Muhammadan rulers. Similarly, there are other *gurdwaras* to which orthodox Hindus have made valuable gifts of property and of money. Is it not fair that there should be representatives of those donors to help the Commissioners to arbitrate and to compromise but not to decide disputes. The spirit with which these Commissioners should be actuated is the spirit of compromise and conciliation and not the spirit in which Criminal and Civil Courts decide cases. With these remarks, Sir, I move this resolution that this Council will accept and agree that instead of three there should be five Commissioners with the object of promoting unity and not disruption, and with the object of bringing harmony between different classes of Sikhs and also to help our Sikh brethren in administering these *gurdwaras*.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia, speaking in Urdu, said that he wished to make a few remarks on this point, but his views were not those of the Government and were to be considered as his own personal views. He wished to make a distinction between *gurdwaras* and *dharmshalas*. A *gurdwara* was the place of God, and a *dharmshala* was a school of religion. There were other terms also *akharas* and *deras*, but he would deal first of all with the *gurdwaras*. *Gurdwaras* were those places which the Gurus had founded, while some had also been founded by their disciples subsequently. For instance, the Golden Temple at Amritsar had been founded by the 4th Guru. Now this temple is open to all who profess the

Sikh creed, whoever they may be, but not to those who do not believe in the tenets of the Sikh religion. And just as Sikhs and Hindus cannot enter the mosques of the Muhammadans, so no one who did not follow the teachings of the Gurus could enter a *gurdwara*. But no one can say, as Mr. Ganpat Rai has said, that side by side with *gurdwaras* they should worship images. I protest against that assertion by my friend, and I take exception to the statement that in these places of worship any other creed can be taught.

Proceeding, the Hon'ble Member said that the property belonging to these *gurdwaras* had originally been bestowed for the general use and benefit of the whole community and was not meant for any particular man or *mahant*. Some time later the jagirs attached to the *gurdwaras* were as a matter of fact offered to the Gurus, who refused to accept them as their personal property and passed them on to the *gurdwaras* for the use of the general community. Still later some of the *mahants* had this property transferred to themselves, and the present trouble is in fact the direct cause of this wrong on the part of those *mahants*. He said a true *mahant* would never care for any property for his own personal use, and he quoted the instance of Sant Attar Singh. He said that after the Sikh rule the *mahants* by surreptitious and foul means got the *gurdwara* properties transferred in their own names and became their owners. This was in contravention of the principles of Sikhism. With this private ownership and creed for wealth came the corruption and mismanagement of *gurdwaras*, which became the hot-beds of vice and corruption. He was opposed to the violent methods of reform adopted by a section of the Sikhs, but said that it might be that those methods were adopted to attract the attention of Government. The Hon'ble Member proceeded to cite verses from the Sikh scriptures and historical instances to show the qualities that a *mahant* must possess. He cited the instance of Guru Nanak

who had two sons, Baba Sri Chand and Baba Lakhmi Das; but he did not regard them fit enough to succeed him and appointed Guru Angad as his successor. The principle was followed by all the Gurus.

The Hon'ble Member denied the assertion that there were four classes of Sikhs with some warmth, and cited several texts from the Sikh scripture in support of his position. He did not recognise any sect of Sikhs and strongly criticised the contention of Baba Hardit Singh, Bedi, that the *gaddi* of a *gurdwara* should remain in the same sect.

He supported the resolution.

Sardar Randhir Singh, who spoke in Urdu, said that it has been urged that because certain Hindus and Muhammadans had contributed to some *gurdwaras* they should not be excluded from the management of the *gurdwaras*. He had himself contributed large sums to some of the mosques and he would ask the members if this gave him any right to participate in the management of the mosques and allow him to read Granth Sahib there.

Rai Bahadur Hari Chand had said that Baba Hardit Singh was a leader of the Sikhs. He was not only not a leader of the Sikhs, but he was the brother of Bawa Kartar Singh, who was alleged to have taken part in the Nankana conspiracy.

The Hon'ble Sir John Maynard.—Sir, I rise to a point of order. I understand that at present the Council is discussing an amendment by Mr. Ganpat Rai which proposes that not less than five non-official members should be appointed on the Commission. I suggest that the present discussion is not relevant.

Malik Firoz Khan.—Also the member is bringing in personalities here.

The Hon'ble the President.—The Hon'ble the Revenue Member has just spoken on the resolution and not on the amendment, so I was allowing Sardar Randhir Singh to speak on the resolution also. But I agree that it will be better

to finish with Mr. Ganpat Rai's amendment first. Does anybody wish to speak to the amendment of Mr. Ganpat Rai? (Addressing Sardar Randhir Singh) Do you wish to speak on the resolution or the amendment.

Sardar Randhir Singh.—I wish to speak all round, Sir.

The Hon'ble the President.—Is there anybody else who wishes to speak to Mr. Ganpat Rai's amendment? I will confine the discussion to Mr. Ganpat Rai's amendment. Then I will take Raja Sahib's amendment, and then I will come to the main resolution.

Sardar Dasaundha Singh, who spoke in Urdu, strongly opposed the amendment. He said there were no different sects in the Sikhs and that there should not be five non-official members. Sahjadhari Sikhs were not excluded from the *gurdwaras*. It would be dangerous to have men from the different sects of the Sikhs on this Commission. He appealed to the Hindus and Muhammadans to treat this matter as a special one and not to confuse it.

Chaudhri Bans Gopal.—Sir, I move that the amendment be now put to the vote.

The Hon'ble the President.—I am not prepared as yet to put the question to the vote. Does anybody wish to speak for the motion?

Baba Hardit Singh, who spoke in Urdu, supported the amendment, and said that as there were different sects in the Sikhs, it was essential that there should be not less than five non-official members on the proposed Commission.

Sardar Bahadur Sardar Mehtab Singh, who spoke in Urdu, said that hitherto on all Commissions there had been three members and not five. He was neither speaking for the amendment nor against it. But he would point out that the number five would entail large expenditure and would be unmanageable.

**Rai Bahadur Lala Sewak Ram**, who spoke in Urdu, said he was sorry to hear **Sardar Dasaundha Singh** say that Hindus and Muhammadans should not have any hand in the management.

It was clear from the speech of the Hon'ble **Sardar Bahadur Sardar Sundar Singh** that every man who believed in **Sri Guru Granth Sahib**, and followed the teachings of the Gurus, was to be considered a Sikh. If that was so, there was no reason why a non-Sikh who believed in **Sri Guru Granth Sahib** and followed the teachings of the Gurus should not be called a Sikh. It was, therefore, all the more necessary that the number of Commissioners to be appointed should be five and not three, so that men of all shades of opinion should be represented.

**Mr. Ganpat Rai**, who spoke in Urdu, said that his sole idea was to introduce peace and harmony where there was now discord and difference. He reiterated his former argument that the number of Commissioners should be sufficient to represent all sects and parties.

The Hon'ble **Khan Bahadur Mian Fazl-i-Husain**, who spoke in Urdu, said that as much had already been said on the subject, he wished to say a few words more to the Sikh Members of this Council with a view to assuring them that the object of this Ordinance was to ease the present situation and to help the Sikhs in the matter of coming to a speedy and satisfactory decision in regard to the *gurdwara* movement. He said that he had every sympathy with what **Sardar Dasaunda Singh** had spoken in the Council on the subject of reforms in the *gurdwaras*, and that he as well as other members of this Council were also desirous of the necessary reforms being introduced in the *gurdwaras*, and therefore, in order to settle the present disputes, the Ordinance proposed was absolutely necessary. He further said that it was not the intention of the Government to have men on the Commission representing any party, but those men who were the advocates of

justice and well-versed in the Sikh religion. Finally, he requested the President to put the question to the vote in such a way that the Sikh members' votes should be taken separately and the rest of the members of the Council separately.

The Hon'ble the President.—It is quite impossible for me, as President of this Council, to draw any distinction between Members. Members are here present in their representative capacity, and I cannot treat them differently according as they are Hindus, Christians, Muhammadans or Sikhs. At the same time I will take a division on the point at issue, and it is open to the Hon'ble Member to note how any particular member votes. But before I put the amendment to the vote I should like the Mover of the motion and the Hon'ble Minister to make sure that they are not at cross purposes. As I understand the position the amendment is being pressed because the Hon'ble Minister announced that the Commission in contemplation would consist of only three members, and there is a fear in certain quarters of the Council that these members may be partisans. On the other hand, the amendment is opposed because, if every class of Sikh is represented on the Commission by its own partisan, the result may be unfortunate. It is for consideration whether the number three is an essential one, and whether the members of the Commission are to be appointed to represent particular interests.

The Hon'ble **Khan Bahadur Mian Fazl-i-Husain**.—It has never been my idea that the members of the Commission shall be the nominees of particular interests. I want independent men and I am not wedded to the idea of three members only. If the Hon'ble Mover will withdraw his amendment I am quite ready that the number of the members of the Commission be left undetermined.

**Mr. Ganpat Rai**.—In these circumstances I ask leave to withdraw my amendment.

The Hon'ble the President.—The Council will now decide whether leave be given to withdraw this amendment.

The amendment was by leave withdrawn.

**The Hon'ble the President.**—The Council will now proceed with the amendment of Diwan Bahadur Raja Narendra Nath which has been altered to run as follows:—

“Provided that, on the expiry of the Ordinance, the jurisdiction of Civil Courts or of such Courts as the Bill may establish shall not be ousted.”

**Diwan Bahadur Raja Narendra Nath** spoke in Urdu, and said that in his opinion important matters of that kind should not be left merely to the summary decisions of the Commission. In his opinion Civil Courts were the proper courts for deciding those disputes. To avoid the difficulty that two different Courts might not give different judgments in one and the same case, the speaker was of opinion that during the existence of the Ordinance the Civil Courts should not decide those cases, but after the expiry of the Ordinance the parties should have the right to seek their final remedy in Civil Courts.

**Malik Firoz Khan** spoke in Urdu and supported Diwan Bahadur Raja Narendra Nath. He added that the decisions arrived at by the Commission should not be final and that the parties should have the right to get those decisions revised in Civil Courts.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain**, speaking in Urdu, said that he had no hesitation in accepting the amendment proposed by Diwan Bahadur Raja Narendra Nath. He added that the real object in view should not be lost sight of for the sake of trifling matters. In the opinion of the speaker the amendment proposed by Raja Sahib was sound and no lawyer could object to it. The speaker hoped that the Commission would settle at least 75 per cent. of the disputes by compromise, and would leave for the Civil Courts only such cases as could not be decided on compromise.

**The Hon'ble the President.**—The motion before the Council is that the

resolution be amended in the following terms, namely, that at the end be added, “provided that on the expiry of the Ordinance the jurisdiction of Civil Courts or of such Courts as the Bill may establish shall not be ousted.”

A division was called with the following result:—

For the motion	...	27
Against the motion	...	Nil
Majority for	...	27

The motion was declared carried.

**The Hon'ble the President.**—The original resolution now runs:—

“That this Council moves the Local Government to take early steps to introduce a Bill overhauling the law relating to charitable and religious endowments in the Province, and pending the presentation and passing of that legislation it moves the Governor-General to make and promulgate an Ordinance on the subject, so that the movement to alter and reform the existing managements of such endowments may cease to threaten the peace and good Government of the Province, provided that, on the expiry of the Ordinance, the jurisdiction of Civil Courts, or of such Courts as the Bill may establish, shall not be ousted.”

**The Hon'ble the President.**—(Addressing Sardar Randhir Singh). Will you now conclude your speech?

**Sardar Randhir Singh**, speaking in Urdu, said—Sir, I wish to protest against Bawa Hardit Singh's remark that among Sikhs there are *Sanatanists* who have religious differences with neo-Sikhs. As a matter of fact there are no *Sanatanists* among the Sikhs. This word has been coined by people who are in possession of *gurdwaras* and other *wakf* properties and wish to remain in possession thereof under the protection of this word. The party of reform is styled by these people as neo-Sikhs, while those who are opposed to reform are called *Sanatanists*. We can



introduce no reform in co-operation with these people whose selfishness does not allow of any improvement being effected in the management of *gurdwaras*. Besides these, some non-Sikhs who, in reality, have no connection with the religion of Sikhs are casting wistful eyes over our *wagfs*. These people want to take possession of our *gurdwaras* under the name of 'Sahajdhari,' although true 'Sahajdharis' are in no way opposed to the possession of *gurdwaras* remaining in the hands of Sikhs. They consider Sikhs as far advanced, and even from the religious point of view they cannot raise any objection against *gurdwaras* remaining in possession of the Sikhs. No Amritdhari can enter big *gurdwaras* such as *Takhat Akal Sahib*, *Anandpur Sahib*, *Patna Sahib* and *Abekai Nagar Sahib*. This being so, how can Sikhs allow every one to participate with them in the management of *gurdwaras*. Bawa Hardit Singh's proposal is wholly impracticable and impossible to work from the religious point of view of the Sikhs. I cannot say whether in moving this resolution he has represented the views of his family or those of the people who elected him, inasmuch as I was also one of the persons who voted for him.

As regards the objection against the present method of taking possession of *gurdwaras*, it has been stated just now that much time and money are required for the reformation of *gurdwaras* through Civil Law and that reformation through existing law is impossible. Sir, can we wait for 10 or 20 years for the decision of a Court while our religion is being insulted in *gurdwaras*? Is it tolerable that we should knock about the Courts while dancing girls are being made to dance, wine is drunk, and adultery and all sins committed in our sacred *gurdwaras* where our Gurus gave out the message of unity of God and preached the way leading to God to the whole of the world. The Sikhs waited a long time to see their *gurdwaras* reformed through law, but when they became disappointed they were obliged to have recourse to the only way

open to them, i. e., in order to save *gurdwaras* from further degradation, they began to turn out those people from *gurdwaras* who were appointed by their ancestors. Now that the Sikhs have begun to save their *gurdwaras* from degradation by sacrificing their lives and property it has struck us to frame a law. Sir, before we frame a law in connection with *gurdwaras*, it is desirable that those people who by sacrificing their lives and property saved *gurdwaras* from degradation should not be consigned to jails and those arrested during the last few days should be released; otherwise the real object of this Ordinance will not be obtained.

**Manvi Muharram Ali, Chishti**, who spoke in Urdu, said the speech of the Hon'ble Mian Fazl-i-Husain was undoubtedly a very complete one. But he had left out one point. He had not touched the legal aspect of the case. The law on the point was already quite sufficient, and the legislation which was being proposed was in fact a concession to the Sikhs. There was Act 20 of 1863 dealing with religious endowments. It was quite sufficient. He went on to say that the Ordinance which the resolution proposed was meant to compose the differences between the Sikhs. They all had the interests of the Sikhs at heart, and it was to save them from the awkward and difficult position in which they were now placed that the present proposal was made. He would however say that, if his Khalsa brethren remained neutral in a matter so vitally affecting their interests, it would appear that they did not approve the present suggestion; and in that case it seemed to him that instead of allaying the prevailing unrest it would only aggravate the situation, and it would be better to leave the existing law to deal with the trouble. This juncture was a serious one for the Sikh community and he would appeal to them as he would in similar circumstances appeal to his own Muhammadan brethren.

**Sardar Dasaundha Singh**.—I rise to a point of order. I do not think the



Member is confining his remarks strictly to the subject, matter of the resolution before us.

**Malik Firoz Khan.**—Sir, I move that the question be now put.

**The Hon'ble the President.**—The motion before the Council is that the question be now put.

The motion was carried.

**Maulvi Muharram Ali, Chishti,** proceeding, said that it seemed that Mr. Gandhi had been asked to hold an enquiry into the Nankana Sahib Tragedy. This seemed to him an abrogation of the functions of the existing Government. There could not be two Governments side by side administering the same country, in the same way that there could not be two husbands of one wife.

**Sardar Bahadur Sardar Mehtab Singh.**—I rise to protest against that statement. The Member cannot abuse the Sikh community.

**Maulvi Muharram Ali, Chishti,** continuing, said that there could be no hope of a peaceable settlement of the present disputes without co-operation with the Government. He strongly deprecated the present day tendency of working upon the feelings of the mob, which, instead of being guided by, wished to lead, their leaders.

**Sardar Dasaundha Singh.**—My friend is again out of order.

**The Hon'ble the President.**—I must request the Hon'ble Member not to interrupt so much. He seems to forget that a strong speech was made here this morning on the part of some of the Sikh Members. If those Sikh Members receive a strong reply, they must not take it amiss. I do not say that the original speech or that the reply is right or wrong, but what is right for one party is right for the other party. I must, however, draw the attention of the Member who is speaking that it is now 4-30 and the debate has already exceeded the time fixed.

**Maulvi Muharram Ali, Chishti,** concluding, appealed to the Sikh Members of the Council to take a definite line in this matter on the side of good government, and he assured them that their Muhammadan brethren were entirely with them.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain,** replying to the debate in Urdu, said that he wished to make only a few remarks. First, this Ordinance was being introduced solely for the benefit of the Sikhs as the existing law was insufficient to meet the needs of the case, and, secondly, in response to a desire expressed by the Sikhs themselves. It had been said by some Members that the Government had been awakened to its responsibilities in this matter only by the fearful happenings of the last few weeks. The Hon'ble Member submitted that this was very unjust. There had never been any suggestion previously that the existing law was not adequate, and he thought there would have been very strong opposition in the country to any attempt on the part of the Government to augment their powers in this direction previous to the troubles which had now arisen. It was not, however, the wish of the Government merely to take more power unto themselves; their sole desire was to adopt some measure to compose the existing differences. In conclusion, the Hon'ble Minister said that he would do anything in his power to aid the Sikhs at this juncture, but he appealed to them not to leave the whole burden of settlement on the Government alone, and assured them that, so far as Government were concerned, every possible precaution would be taken to insure that the powers now obtained would not be misused.

**The Hon'ble the President.**—The motion before the Council is "that this Council moves the Local Government to take early steps to introduce a Bill overhauling the law relating to charitable and religious endowments in the Province, and, pending the presentation and passing of

that legislation, it moves the Governor-General to make and promulgate an Ordinance on the subject, so that the movement to alter and reform the existing management of such endowments may cease to threaten the peace and good government of the Province, provided that on the expiry of the Ordinance the jurisdiction of the Civil Courts, or of such Courts as the Bill which it is proposed to introduce may establish, shall not be ousted."

A division was called for with the following result:—

For the motion ... 30

Against the motion ... 1

Majority for ... 29

The motion was declared carried.

The Council adjourned till 10-30 A.M. on 15th March.

## PUNJAB LEGISLATIVE COUNCIL.

*Tuesday, 15th March 1921.*

The Council met at the Council Chamber at half-past ten of the clock. The Hon'ble the President in the Chair.

### QUESTIONS AND ANSWERS.

#### UNIVERSITY PROFESSORS.

241. Mr. K. L. Ralla Ram.—(a) Is it a fact that University Professors are being employed from abroad on salaries ranging from Rs. 15,000 to Rs. 20,000 per annum?

(b) Is it a fact that there is no provision for study scholarships abroad for the abler University teachers?

(c) If the answers to (a) and (b) are in the affirmative, does Government propose to take any action in the matter?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—(a) & (b) The answer is in the negative.

(c) In view of the answer above, the question does not rise. In any case Government does not desire to interfere in the teaching appointment of the University.

#### A COMPLAINT FROM DERA GHAZI KHAN.

242. Pandit Daulat Ram, Kalla.—Has the Government seen a pamphlet named 'Zilla De a Ghazi Khan ke Ghulamon ki Farvad' (copy enclosed herewith)? If so, will the Government be pleased to direct the Deputy Commissioner, Dera Ghazi Khan, to send for the author of the pamphlet and ask him to state any specific breaches of sections 370 and 371 of

the Indian Penal Code, of which he is complaining, with a view to necessary action?

The Hon'ble Sir John Maynard.—The Government has seen the pamphlet, and does not consider it necessary to take the action suggested.

#### NALA PURANA QADRA.

243. Sardar Allan Khan.—Will Government please state if any lands owned by Mastaqani Mazari tribes, situated at mauzas Chak Lahad, Badli, Meranpoor, Tahsil Rajanpoor, Dera Ghazi Khan District, have continued to be watered by Nala Purana Qadra, from the date of its opening in 1872, down to the year 1896?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Information required is being called for and will be placed on the table when received.

#### NEW NALA QADRA.

244. Sardar Allan Khan.—When was the new Nala Qadra, known as Bandi-i-tilai, opened?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Information required is being called for and will be placed on the table when received.

245. Sardar Allan Khan.—Is it a fact that the lands of the Mastaqani tribe, situated at the mauzas named above, are not allowed to be watered by the new Nala Bandi-i-tilai (Lower Qadra), while the lands to the north and south of these mauzas are being irrigated by the Nala Bandi-i-tilai?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Information required is being called for and will be placed on the table when received.

246. Sardar Allan Khan.—If it is a fact, what is the reason for this state of affairs?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Information required is being called for and will be placed on the table when received.

#### DERA GHAZI KHAN.

247. Sardar Allan Khan.—Is Government aware that the inhabitants of Dera Ghazi Khan have been rendered destitute on account of the destruction by the river Indus, and are, therefore, unable to bear the burden of further taxation for the necessary improvement of the new city? Will Government in these circumstances help the Dera Ghazi Khan Municipality?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—Government is not aware of any proposal to enhance taxation in the Dera Ghazi Khan Municipality. Any application from the Municipal Committee for Government aid will receive due consideration.

#### EXTENSION OF THE NEW CANAL (DERA GHAZI KHAN).

248. Sardar Allan Khan.—Will the Government extend the new canal to the west of the city of Dera Ghazi Khan?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—No reply can be given until it is known what canal is referred to.

#### ARMS ACT.

249. Mian Ahmad Yar Khan, Daulatana.—(a) Will Government be pleased to state if it is a fact that under the Arms

Act rules applicable to the Punjab a holder of a license for the possession of arms cannot take them into a train without the sanction of the District Magistrate even if he only wishes to travel from one station to another within the district for which he holds his license?

(b) If the answer to (a) is in the affirmative, will the Government alter the rule under question so as to allow carriage of licensed arms by train within the area for which the license is granted?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—The holder of a license in form XIII can carry arms by train throughout the area for which the license is valid. But under the Railway Department's rules passengers, with the exception of troops as military and police escorts, are not allowed on railway premises with loaded fire arms. The second part of the question does not arise.

250. Mian Ahmad Yar Khan, Daulatana.—(a) Will the Government be pleased to state if it is a fact that in all the big Provinces of India when a license for the possession of arms is once granted it extends to the whole of British India?

(b) Is it a fact that in the Punjab when a license is granted the rules made by the Local Government prohibit a person from taking his arms outside the district for which he has been granted a license?

(c) If the answer to (b) is in the affirmative, will the Government be pleased to alter the rules and make arms licenses available for the whole of British India, when once a license has been granted?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—(a) It is not a fact that in all the big Provinces of India when once a license for the possession of arms is granted it extends to the whole of British India. The authority granting a license may make it valid throughout the Province or any specified

part thereof or through British India, except Burma, Assam and North-West Frontier Province, where the rule is a little different, but not less restrictive.

(b) No such rule has been made by the Local Government. In fact, none is needed. When the licensing authority has made the license valid only in the district, the licensee cannot take the arms beyond the limits of the district to which the exemption applies. The licensee can, however, go beyond these limits by obtaining a journey license on the payment of prescribed fees.

(c) In view of the reply above, Government has no intention of proposing to the Government of India the alteration of the existing rules.

**Chaudhri Kharak Singh.**—Is the Government aware that even in the Punjab licenses are granted for the whole of British India in certain districts, for example, Kangra District?

**Sardar Bahadur Sardar Sundar Singh, Majithia.**—The Hon'ble Member must give notice.

**251. Mian Ahmad Yar Khan, Daulatana.**—(a) Will the Government be pleased to state if it is a fact that under the old Arms Act and Rules all Members, past and present, of the Punjab Legislative Council and Provincial Darbaries were exempt from arms licenses?

(b) Is it a fact that under the new rules the Members of the newly-elected legislature in the Punjab are not exempted from arms licenses?

(c) Is it a fact that Provincial Darbaries have been exempted from the Arms Act by a special notification, Provincial Darbaris and Members of Council being originally governed by the same rule?

(d) Will the Government be pleased to confer the same privileges (i.e., the exemption from the Arms Act) on the present Members of the Legislative Council as were possessed by the Members of the old Council?

**The Hon'ble Sardar Bahadur Sardar Sunder Singh, Majithia.**—(a) The Members of the Council were exempt from arms licenses under the old rules; but the Provincial Darbaris, who were not declared great Sardars or Jagirdars, were not so exempt.

(b) The reply is in the affirmative.

(c) The reply is in the affirmative, except that Provincial Darbaris and Members of Council were not originally governed by the same rule.

(d) Any change in the schedule of the Arms Act can only be effected by the Government of India. The matter has already been referred to them.

#### CAPITAL SPENT ON THE LOWER JHELM CANAL.

**252. Mian Ahmad Yar Khan, Daulatana.**—(a) Will the Government be pleased to give the amount in rupees of the capital spent on the Lower Jhelum Canal?

(b) How much of this capital was supplied by the Government treasury and how much of it was borrowed by the Government?

(c) Who are the person or persons from whom the Government borrowed money for the completion of this Canal, and what is their nationality?

(d) Is any interest secured to these persons who lent money to the Government; if so, at what rate?

(e) What per cent of interest or dividend or profit has been paid to them during the last year?

(f) What has been the average annual net income of the Lower Jhelum Canal during the last 10 years, and what percentage does it work out on the capital outlay?

(g) Is there any clause in the agreement which the Government made with persons who supplied the capital, entitling the Government to buy up the loan; if so, is the Government in a financial position to buy up those loans?

(d) If the Government is not in a financial position to buy up those loans, will the Government allow any person or persons in this country to lend money to the Government (at a lesser interest than the Government is paying already) in order to buy these loans?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—For (a) and (f) the information is obtainable from the Annual Administration Report of the Irrigation Department, Punjab, which can be obtained from the various agents for the sale of Government publications at Lahore. Price Rs. 7-8-0 per copy.

As regards the remaining parts of the question, the Government of the Punjab has no information on the subject.

### HORSE-BREEDING GRANTS OF LAND.

253. Mian Ahmad Yar Khan, Daulatana.—(a) How many horse-breeding grants of land on the Lower Jhelum Colony have been resumed by the Government during the last ten years?

(b) Will the Government be pleased to state the reasons why they were confiscated?

(c) Will the Government be pleased to state the number of persons who appealed against the orders of the District authorities to the Commissioner, and how many of such appeals were rejected or accepted?

(d) Will the Government be pleased to state the conditions which entitle the Government to resume grants?

(e) Is the Government aware that there is great discontent amongst the horse-breeding tenants of the Lower Jhelum Colony on account of the law which entitles the local authorities to resume the grants?

(f) Will the Government be pleased to take steps in order to make the position of the Government tenants more secure than it is at present?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—(a) The information from 1912—1920 is available, and is given below:—

Year.	Number of resumptions
1912	5
1913	3
1914	1
1915	Nil.
1916	
1917	
1918	5 (temporary).
1919	1 of grants of 31 grantees were resumed temporarily.
1920	4

(b) These grants were resumed for failure to look after the mares and their young stock or for persistent failure to comply with the conditions of residence.

(c) This information is not available but can only be supplied by a reference to the Commissioner. The labour involved in the Commissioner's office would be considerable and out of proportion to the value of the information. Since the year 1915 all orders for confiscation of a grant are referred to the Financial Commissioner for his approval before they are issued.

(d) A copy of the conditions governing such grants is attached.

(e) The answer is in the affirmative. There is some discontent, but it is not believed to be general.

(f) The matter is under the consideration of the Financial Commissioner.

### AVERAGE ANNUAL INCOME OF THE PROVINCE.

254. Mian Ahmad Yar Khan, Daulatana.—(a) What has been the average annual income of this Province during the last 10 years?

(b) Has the income exceeded the expenditure; if so, what is the saving of



the last 10 years and where is it kept? Does it bear any interest? If so, at what rates?

**The Hon'ble Sir John Maynard.**—(a) The average annual provincial income during the last 10 years (i.e., 1st April 1910 to 31st March 1920) has been Rs. 5,06,59,000 per annum.

(b) The total income of these 10 years exceeded total expenditure by Rs. 3,31,98,000. Of this amount 1 crore was made over permanently in 1914 to the Government of India in consideration of an annual assignment of 3½ lakhs. The remainder is part of the general cash balances of the Government of India, of which the Governor-General in Council is, in accordance with Devolution Rule 16, the custodian. Such balances do not bear any interest, except in the exceptional circumstances detailed in Devolution Rule 22, i.e., when the Governor-General in Council has, on receipt of due notice of the intention of the Local Government to draw on its balances, required it to reduce the extent of the proposed draft. In these circumstances, the Governor-General in Council will credit the Local Government with interest on the amount which it was not permitted to draw.

#### ASSESSMENT OF INCOME-TAX.

**255. Mian Ahmad Yar Khan, Daulatana.**—(a) Is it a fact that income-tax in towns is assessed by individual Government officers?

(b) Is it a fact that these officials are not necessarily residents of the towns where they go to assess incomes and do not personally know the persons they assess?

(c) Will the Government be pleased to consider the idea of appointing Assessment Commissioners from amongst the people in each town?

**The Hon'ble Sir John Maynard.**—Income-tax assessments are, in urban areas, carried out by Special Income-tax Officers of the Extra Assistant Commissioner class. It has been the policy of Govern-

ment to post these officers to areas other than those in which their homes are. This is considered desirable in order to ensure impartial assessments.

It is not considered desirable to take the steps suggested in clause (c) of the question.

#### OAT HAY FARM.

**256. Mian Ahmad Yar Khan, Daulatana.**—(a) Is there an "oat hay farm" in the Punjab; if so, where is it? Whom has it been granted to, and what is the area under it?

(b) Is it a fact that it was originally granted for the production of oat hay alone?

(c) How much oat hay was produced during the last 5 years?

(d) Has it produced crops like cotton; etc., against the conditions of its grant, if so, how many times during the last 5 years?

(e) Has Government ever contemplated resuming this grant for breeches of the conditions; if not, why not?

(f) Is it economically paying to the Government to maintain this farm?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—(a) The answer to this part of the question is in the affirmative. The oat hay farm is situated on 4 L Distributary between Okara and Gambar Railway Stations in the Montgomery District. Its area is 20,000 acres. It has been granted to the Assistant Director of Grass Farms.

(b) The oat hay farm was started with the object of providing a nutritious fodder for Government horses, and providing a large reserve which may keep down the prices of fodder in the markets.

(c) The information is not available, but might be available after enquiry from the Grass Farm Department.

(d) The conditions of the grant do not preclude the cultivation of wheat and cotton and these crops are regularly cultivated.

(e) The Government has never contemplated resuming this grant as there has been no occasion for such a contingency. No formal conditions have been laid down for this grant.

(f) The answer is in the affirmative.

### OPERATION OF THE CRIMINAL TRIBES ACT.

257. **Mian Ahmad Yar Khan, Daulatana.**

—(a) How many persons have been brought under the Criminal Tribes Act during the last 5 years?

(b) Is there any fixed period for which they have been restricted? Is there any provision of law entitling some of these people to be set free after a certain time; if so, then how many persons have been set at liberty during the last 5 years?

(c) If the answer to the first part of (b) is in the negative, then will the Government kindly legislate on the point?

(d) Can these people, who have been restricted under the Criminal Tribes Act, be hired out to individuals or departments of Government or private factories or firms; if so, what firms, etc., have they been hired out to?

(e) Have they ever been hired out to the Army Department; if so, for what kind of labour?

(f) When hired out, do the persons so hired out get any portion of the wages they earn?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—(a) The number of persons registered under section 5 of the Criminal Tribes Act in the last 5 years is approximately 50,000 males over 12 years of age (children belonging to criminal tribes are not registered in this Province and women are only registered when their husbands or guardians have been placed in settlements).

(b) When a member of a criminal tribe is restricted to his village or to the limits of a police station or district or to a settlement established under section 16

of the Criminal Tribes Act, no period of restriction is fixed. There is no provision of law entitling restricted persons to exemption from restriction after a fixed period, but the registration and restriction of a member of a criminal tribe may be cancelled under rule 24 of the rules under the Act if he has for 10 years or in some circumstances for 5 years followed honest means of livelihood and been of good behaviour. Under this rule over 20,000 members of criminal tribes have been freed from restriction during the last 5 years.

(c) Proposals for defining the procedure and conditions under which cancellation of registration or final release from a settlement can be claimed are at present under consideration.

(d) Under rule 19-A of the rules under the Criminal Tribes Act members of criminal tribes can be granted passes of temporary exemption from restrictions if they take service under an approved employer who is obliged to comply with certain conditions as to wages and accommodation and is subject to the supervision of the Deputy Commissioner for Criminal Tribes. This rule has not been used to any considerable extent in the Punjab so far. Otherwise Government does not control in any way the employment of members of criminal tribes who are not restricted to settlements established under section 16 of the Act and such members are free to earn their own livelihood as they themselves choose within the limits of the area of their restriction. As regards members of criminal tribes restricted to settlements, those placed in agricultural settlements are given grants of land and earn their livelihood as zamindars. Industrial settlements and labour-supplying settlements are located in the neighbourhood of workshops, factories, large estates, Government forests and other places where labour is wanted and the inmates of such settlements are required to work in these places and so earn an honest livelihood. Particulars of these settlements and a

list of them will be found in statement VI of the last annual report on the Administration of Criminal Tribes.

(e) A number of members of criminal tribes were employed for a time by the Military authorities on building work in the construction of Military buildings at Chaklala, Rawalpindi and Montgomery.

(f) Members of criminal tribes restricted to settlements receive the whole of the wages they earn, subject in some settlements to a very small deduction for payment to the lambardars of the gangs into which the inmates are divided.

258. **Mian Ahmad Yar Khan, Daulatana.**—(a) Will the Government be pleased to state the reasons why the construction of the Sind Sagar Canal has not been started yet?

(b) If it is the shortage of capital which prevents the Government from constructing this canal, will the Government allow British subjects in India to float a company in order to undertake the building of this canal?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The construction of the Sind Sagar Canal has not been commenced, as the detailed surveys have still to be completed, meanwhile ways and means of constructing the canal, as soon as the surveys have been completed, are being considered.

#### SUSPENSION OF LAND REVENUE IN KHUSHAB.

259. **Mian Ahmad Yar Khan, Daulatana.**—(a) Will the Government be pleased to state if it is a fact that during the years when there is no rain the Government suspends collection of land revenue in Khushab and Mianwali and Jhelum?

(b) Is it a fact that whenever there are rains, then the people are made to pay up all the arrears?

(c) Will the Government kindly consider the question of not collecting land revenue at all when there is an absolute failure of rains in these tracts?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—(a) The answer is in the affirmative, except in so far as the assessment of land revenue in Mianwali is fluctuating, and thereby renders all questions of suspension unnecessary.

(b) The answer is in the negative. Collections of suspended revenue in the tracts mentioned and throughout the Punjab are only ordered when and in so far as a careful consideration of all the relevant factors in the situation of each village indicates that this can be done without hardship.

(c) The settlements of the tracts mentioned have been framed on the assumption that the ordinary rules regulating suspension and remission of land revenue, as modified by special local considerations, will be adhered to. Under these rules amounts under suspension are ultimately remitted if several dry years occur in quick succession. Government sees no reason for adopting what would practically amount to a lowering of the assessment, which is, especially in the case of Khushab and Mianwali, extremely light.

#### SARDAR SARDUL SINGH CAVISHER.

260. **Rai Sahib Bissalpur Raja Singh.**—(a) Has the attention of Government been drawn to a note, published on the 4th page of the *Bande Mataram* of Lahore, dated the 23rd February 1921, to the effect that Sardar Sardul Singh Cavisher, President, Sikh League, Lahore, has been interned under section 144 of the Criminal Procedure Code within the limits of the Lahore Municipality?

(b) If it is a fact, what is the reason for his internment?

(c) Has any limit been put to the period of his internment?

**The Hon'ble Sir John Maynard.**—(a) Yes.

(b) The reasons were stated by the District Magistrate in an explanatory order. It was considered that the presence

of Sardar Sardul Singh at Nankana would conduce to a further disturbance of the peace there.

(c) Under the provisions of the law, the order will remain in force for two months from the date of issue, unless cancelled. The situation at Nankana makes it undesirable to cancel it yet.

**261. Rai Sahib Risaldar Raja Singh --**

(a) Has the attention of Government been drawn to a note, published on the 1st page of the *Partap* of Lahore, dated the 23rd February 1921, to the effect that the owners of Kirpan factories in the neighbourhood of Lahore have been asked not to manufacture Kirpans longer than 9 inches, and that they should not sell those already manufactured?

(b) Has Government issued such an order?

(c) What is the policy of Government now as regards Kirpans?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Please see my reply to a similar question asked by Sardar Bahadur Mehtab Singh on the 5th instant.

#### A CANAL FROM THE JUMNA.

**262. Rai Sahib Risaldar Raja Singh.**—Will Government state if there was before the European War a proposal to dig a canal from the Jumna for the watering of Ambala District?

(a) Was this work postponed on account of the War?

(b) Will this work again be undertaken?

(c) And if it is to be undertaken, when?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The answer is in the negative: further parts of the question do not arise.

#### NANKANA SAHIB.

**263. Rai Sahib Risaldar Raja Singh.**—Has the attention of the Government been drawn to a note, published on the

4th page of the *Bande Mataram* of Lahore, dated the 23rd February 1921, in which it is mentioned that for some days past a report was current that there was danger of a riot at Nankana Sahib, and about which the responsible officers of the Government apprehended the same, and that they were well aware of it. Did the responsible authorities know beforehand that such a serious riot was to take place at Nankana Sahib?

(b) If they knew of it, what steps did they take to prevent the occurrence?

**The Hon'ble Sir John Maynard.**—The questioner is referred to the answers given on the 11th March to similar questions (Nos. 235 and 236) put by Lieutenant Sardar Raghubir Singh.

#### A PERSONAL EXPLANATION.

**Mr. C. M. King.**—Sir, in connection with that answer I would ask leave to make a personal statement. Allegations have appeared in the press attributing to Mr. Currie and to me some hidden connection with the dreadful crime. It has been said that the crime was so dreadful that it is impossible to believe that any private person would have committed it unless he was assured of the protection of Government or a high Government official. From this it has been argued that the same high Government official must have acted from the basest motives. About Mr. Currie, I will only say this that he has acted throughout loyally under me; that he has transmitted to me all information that has come to him; that at the big fair at the end of November his presence and personal exertions averted what might have been even a worse tragedy than what actually happened on the 20th February, and finally that when I reached Nankana on the evening of the 20th February, a leading Sikh present expressed his deep gratitude for Mr. Currie's exertions and said that but for Mr. Currie's presence there would not have been a long-haired Sikh left alive at Nankana.

The attacks on me are more personal than those on Mr. Currie, and as a Member of this Council I feel it is my duty to make a personal explanation for the satisfaction of my fellow-Members. I wish to say as emphatically as I can that neither directly or indirectly have I said or done anything to justify, or to raise a belief that I would justify, any such crime as was committed at Nankana. It is true to say that for some months before the occurrence of the 20th February—ever since the beginning of October in fact—the air has been full of vague rumours of attack on the Nankana shrine. It has been said that *Jathas* were collecting in order to make an attack on the shrine to seize it by force; similarly it has been rumoured that the *Mahant* was secretly collecting weapons with which to defend himself from the attack planned on him. When I visited Nankana at the end of January, I saw that the gates had been strengthened, and that spy-holes had been made, but these preparations seemed evidently to be intended for defence against attack from outside, and if they were for that purpose, all fair-minded persons would admit that they were perfectly legitimate. At my interview with the *Mahant*, which took place at Nankana, I impressed on him that he must proceed according to the law. At the same time I at once wrote to the Police authorities asking that a Police station should be established at Nankana as soon as possible, as there have hitherto been no police stationed there.

On my return to Lahore, so urgent did I consider the matter that I at once took up the question of a conference between the two parties. I tried to get the conference hurried on as quickly as possible, because I felt the risk of a collision was increasing. The information we had was that a big meeting of the Akali *Jatha* would take place at Nankana on the 4th, 5th or 6th March. I hoped that the conference would come together before then and some decision satisfactory to both parties would be reached. I had no information and Government had no information that there was to be a big

Diwan at Chandarkot on the 19th or 20th February, and the fact that Lachhman Singh and his party were going to Nankana on the 20th was not known till after that date. A letter from a *Zaildar* to Mr. Currie, dated the 18th or 19th February, telling him of this fact reached him only after the event.

Throughout the agitation my endeavour has been to keep Government aloof from this religious dispute and to reconcile the differences of both parties. The letter which I issued on the authority of and with the full approval of Government was written in the hope that the *Jathas* would recognise that they were acting contrary to the law, and would restrain themselves. The *communiqués* issued would, it was hoped, make the *Jathas* realise that the matter was having the serious consideration of Government and would be settled very shortly. Unfortunately the *Jathas* were not in a mood to listen to reason. Even then if the original date fixed for the Diwan, 4th, 5th and 6th March, had been kept to, and if no *Jatha* had marched to the shrine before then, Mr. Currie would again have been on the spot, and it may reasonably be supposed that as in November he would have been able to pacify the contending parties. Unfortunately the precipitate action of one party threw out our calculations. Lachhman Singh's party went to Nankana quite unexpectedly, and there was no one in authority present to prevent the dreadful happenings that occurred.

I thank the Council for listening to me patiently.

#### BEGAR IN DERA GHAZI KHAN DISTRICT.

264. **Sardar Jamal Khan.**—(a) Is it a fact that *begar* is prevalent in the Dera Ghazi Khan District?

(b) If so, will the Government be pleased to state under what law or rules it is enforced?

(c) Is it a fact that the local authorities force camel-owners to keep their animals at the tahsil, using them when

required, and obliging them to stay there without remuneration.

(d) If the answer to (c) is in the affirmative, what steps has the Government taken or does it intend to take?

(e) Is it a fact that some officials in the Dera Ghazi Khan District get their house compound cultivated by forced labour of men and bullocks?

(f) If the answer to (e) is in the affirmative, what steps has the Government taken or does it intend to take?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia.**—(a) *Begar* is not prevalent in the Dera Ghazi Khan District as a system, though doubtless occasional cases do occur.

(b) Under Land Revenue Rule 20 (VIII) Lambardars are bound to assist in providing, on payment, supplies or means of transport for troops or other officers of Government on duty. In order to carry out this duty, Lambardars doubtless employ village menials with or without their consent. The village menials are servants of the village community and receive recognized dues in return for their services. In the circumstances their labour cannot be accurately described as forced.

(c) and (d) There is a system in force in the Dera Ghazi Khan District for providing transport for Government purposes. It is known as the *Patti* system. Under this system each tribe and each section of the camel-keeping community supply a certain number of camels for a certain number of days in the year. The camels come into the tahsil, and are allotted by the Tahsildar to those who require them for Government work. After the work is done they return to their homes. They are paid at the rates of hire sanctioned by Government. Cases do occasionally occur of camels being kept in the tahsil without remuneration, but these cases are only occasional, as when not required immediately for Gov-

ernment purposes, they are allowed to ply for hire in the near neighbourhood. The system has been in force for many years, and most Deputy Commissioners have tried to change it and make more satisfactory arrangements, but have failed. The present Deputy Commissioner is again considering the question. The recent orders of Government with regard to the fixing of hire by the Deputy Commissioner, aided by a small non-official committee, will help to obviate the difficulty, and the Deputy Commissioner is being asked to consider whether camels cannot be obtained on the contract system.

(e) and (f) All officials in the Dera Ghazi Khan District have their regular garden staff paid for in the same way as domestic servants and either own or hire bullocks for their wells paying for them by the month or the day at the ordinary market rates. Occasionally when the permanent arrangements fail, bullocks are obtained through the medium of the tahsil and they are paid for in the same way. The Deputy Commissioner has not received any complaint that any owner has been forced to supply bullocks against his will.

#### CENTRAL SIKH GURDWARA COMMITTEE.

265. **Sardar Kartar Singh.**—Has Government invested the Central Sikh Gurdwara Committee formed by the intervention of His Excellency the Governor and His Highness the Maharaja of Patiala with any powers to carry out its orders?

What is its legal status, constitution and scope?

266. Can the aforesaid Committee turn out any undesirable *mahant* of *pnjari*?

**The Hon'ble Sir John Manyard.**—The Government in November last appointed a Committee to propose rules for the further management of the



Darbar Sahib at Amritsar and attached *gurdwaras* and meanwhile to supervise the management of those institutions. The Committee has not yet proposed any rules and the Government is not in a position to say what its legal status is.

### EXPENDITURE INCURRED IN THE CONSTRUCTION OF BARI DOAB AND JHELM CANALS.

267. **Sardar Kartar Singh.**—Will Government be pleased to state the total amount of expenditure incurred in the construction of Sirhind, Bari Doab, Chenab and Jhelum Canals, respectively?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—This information is given in the Annual Administration Report of the Irrigation Department which can be obtained from various agents for the sale of publications at Lahore, price Rs. 7-8-0, *i.e.*—

Messrs. Gulab Singh and Sons, Mufid-i-Am Press, Lahore.

Lala Mohan Lal, Punjab Law Book Depot, Lahore.

Manager, "The Aryan Printing, Publishing and General Trading Co., Limited," Lahore.

Messrs. A. Chand & Co., Agents, Lahore.

Messrs. Rama Krishna and Sons, Booksellers and News Agents, Anarkali Street, Lahore.

268. What rate of interest, if any, does the Government charge on the capital outlay in their account? If so, what is its total amount?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The answer to this question is covered by answer to question No. 267.

### INCOME DERIVED FROM THE BARI DOAB AND JHELM CANALS.

269. **Sardar Kartar Singh.**—What has been the annual net income derived by Government from these canals after deducting the interest and working expenses?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—If the member will kindly read the Budget of 1921-22 and the accompanying detailed statements that were presented to the Council along with it, he will find the information that he needs in those papers.

270. **Sardar Kartar Singh.**—Has the capital invested by the Government been realised? If not, what amount of the capital still remains due?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—So far as the Irrigation Department is concerned no capital has been paid off and the whole amount remains due. The figures are given in the memorandum of the Finance Member, pages 26 and 27, already in the hands of the Member.

271. **Sardar Kartar Singh.**—If the total amount of the capital has been realised, then will Government be pleased so to fix the rates of *abiana* as to make only a nominal profit?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Answer to question No. 270 disposes of this question.

272. If the total amount of the capital has not yet been realised, then will Government be pleased so to fix the *abiana* rate as to yield a net income of not more than 5 per cent on the balance remaining due?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The answer to this question is covered by answer to question No. 270.

### RETIREMENT OF DR. CALEB.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—With reference to a question asked by Maulvi Muharram Ali, Chishti, some days ago and the answer which I then gave regarding Dr. Caleb in connection with his retirement I wish to make a statement.

The following facts have since then come within my knowledge and I am placing them before the Council. Dr. Caleb gave over the charge of his duty on 31st May 1920, and subsequently applied for extension of service and grant of furlough up to 31st May 1921. This matter remained under consideration since 1st March 1921. Dr. Caleb's application withdrawing his application for grant of extension and furlough has been brought to the notice of Government and a recommendation retiring Dr. Caleb from service with effect from 31st May 1920 has now been made.

### ANSWER TO QUESTIONS NOT YET ANSWERED.

The Hon'ble the President.—I should be glad if any Member, who has not yet received an answer to any question, will please inform the Secretary. Enquiries will then be made.

### NOTES ABOUT SUPPLEMENTARY DEMANDS.

The Hon'ble the President.—I have to inform the Council that the Financial Secretary to Government has placed at the disposal of Members certain notes about the Government's demands for supplementary grants. They can be seen in the office by any Member who so desires.

### TIME FOR RESOLUTIONS.

The Hon'ble the President.—It may help Members if I explain that, on days like to-day, when only resolutions are before the Council, it will be for the Council to decide how much time it will give to each resolution. The

ordinary practice is for members who wish to speak on the later resolution to move the closure on the earlier ones, and for the President to decide whether the closure shall be put to the Council or not as seems fair at the moment. When the closure is put the Council decides whether to grant it or not. I need only add that I shall adjourn the Council for an hour at 1-30 and again at 4-0. Any resolution on which discussion has commenced before 4-0 will have priority to-morrow morning. Any resolution on which discussion has not commenced will lose priority, and will be taken up to-morrow only when all the business of to-morrow has been concluded.

### RESOLUTION RE THE INSTITUTION OF POOR-HOUSES.

Mian Ahmad Yar Khan, Daulatana.—Sir, I move the following resolution:—

"This Council recommends to His Excellency the Governor to be pleased to issue instructions to the local bodies to institute poor-houses at convenient centres for the incapacitated poor, and provide free education, technical or otherwise, for their children.

Sir, in moving the resolution that stands in my name in the agenda I would like to lay before you some of the facts that have prompted me to take the liberty of inviting your co-operation in redressing a great grievance and righting a stupendous social wrong. No one who has walked with open eyes through the length and breadth of this Province can deny the existence of a race of men who retain the instincts of the aboriginal cannibal and live upon their fellow-men as a natural food. The rapid growth of beggars who have developed into a class by itself affords ample food for contemplation to the sympathisers of mankind and benefactors of common-weal.

I would not waste your valuable time in discussing the origin and development of this class, though the histor-

of beggary is surely an interesting and instructive study in the social deterioration of mankind. However, to serve my purpose it would be quite sufficient to say that in times immemorial the destitute encouraged by the sympathetic nature of their fellow-men discovered a new profession by which they could ward off the dangers that attend poverty by begging just sufficient to supply their natural needs yet insufficient to rescue them from the clutches of want.

This art of living, by doing absolutely nothing, had of course its own period of evolution. However unassuming it might appear to the eye, it requires at least some subtlety of imagination which, to do the professors of this art justice, they did not lack. They were eventually so successful in striking the imagination of the people that their help has been advocated, nay commanded, by almost all the religious systems of the world. I don't mean to say that the crippled and the maimed, the blind and the incapacitated poor whom nature in her justice has seen fit to do this injustice do not deserve a helping hand from those upon whom fortune has lavishly showered her bounties. What I wish to convey to your mind is simply this that even benevolence may be abused as it has been. The help that relieved those in distress, though inspired by purely humane motives and a true sense of charity and fellow-feeling, had certainly a different effect on the recipients of this help. It furnished a novel and safe opportunity to those who were morally depraved and temperamentally ease-loving to take the places of really deserving people. I can say that the world saw in this social phenomena a justification for Heywood's philosophic and bold verse:—

He makes a beggar first that first  
relieves him;

Not usures make more beggar where  
they live.

Than charitable men that use to  
give.

It is but a truism that more than 50 per cent of the modern beggars owe their existence neither to any want of work or ability to work but to a want of social responsibility in those who give alms to them. I dare say every body present here will be familiar with pathetic and artful appeals from "the only survivor of a railway accident," the orphan who wishes to prosecute his studies further, the "helpless father who cannot marry his only child for want of money" or the miserable wretch who has lost his wealth in a law suit. There are only a few instances of sturdy beggars who can stand stout denials. How long shall we put up with this moral degradation? How long shall we allow this social deterioration? How long, I say, shall we remain patient and silent, and let these feeders on sloth usurp the right of really deserving creatures of God? We are the representatives of the people of this Province, and it is our sacred duty to pay our attention to the members of the lowest strata of society as well as to those of the highest, to the so-called insignificant questions of social morality as well as to the problem of highest political import. With the moral and economic reform and contentment of the lower classes which essentially constitute the class of our working men will come in a natural course the solution of the intricate economic problems of the State that may have baffled many a statesman. It will be on this foundation if it is securely laid that the great structure of our Civil Society will be raised. Need I say that the growth of beggary is reducing the number of our working men, thus demoralising the capable labourers and making labour dearer day by day. I grant that we cannot with one stroke of political policy or any act of legislature put an end to the beggary, but I can confidently assure that we can do something to put a limit to this ever-growing evil. The inveterate beggars may not be reformed, but their children can be saved from their uncoveted inheritance. Should we wait till the whole of our comparatively poorer brethren are swallowed by these

hyper-natured vultures, or should we extend a really helping hand to them and rescue them as far as possible from the jaws of this annihilating yet seemingly sweet death. Work-houses for the poor may be started on the lines of those that exist in Europe. A permanent measure for helping the poor out of their misery may be adopted according to famine relief policy. Adequate arrangements for the education for their children may be made. The attitude of the Government towards these wretches has been so far, I am afraid, of indifference and they have been allowed to have their own way. But now when His Gracious Majesty the King-Emperor of India has been pleased to vest in us a power of legislature, let us benefit by it and let those have the benefit of it who with expectant eyes look upon us for help. Benevolently-minded people will be, I am sure, ready to share this burden with the Government if organised efforts are made to enlist their sympathies. There is yet another aspect of the question which offers a difficult situation to grasp as it has the sanction of religion. To refuse a beggar according to the accepted interpretation of piety is not only immoral, but sinful. And a beggar with his dastardly appearance and pathetic intonation is sure to excite greater sympathy than the official appeal from a Government body for the support of a poor men's asylum. But I think if charitable institutions have the sanction of the law and the support and supervision of the Government, and if the alms-giving public is educated to understand the true sense of charity, this difficulty may be surmounted. Many *widwak ashrams* and orphanages managed by responsible public-spirited men are, being run successfully and have few pecuniary embarrassments to confront. These can be enlarged. The sphere of their benefit can be widened. Arrangement can be easily made for the admission and free education of the children of the poor in Government and public schools by distributing them according to the capacity of these institutions. Schools for imparting technical instruction can be established at convenient centres of the Province and many other useful schemes can be devised

if the Members of this Council join their heads together and resolve to relieve the distresses of their misery and find a new field of work for their children. Having an implicit confidence in the fellow-feeling of the Members of this Council, I have stood up to advocate the cause of my poor brethren, and I hope my appeal will meet with a hearty approval and a strong support by my colleagues. With these humble and perhaps inadequate explanatory remarks, I beg your permission to lay before you the resolution which is only a preliminary step towards the realization of a great end.

**Lala Atma Ram.**—Sir, I rise to oppose the resolution. In doing so, I may say that the poor-houses will not prove very useful. At the same time no special necessity is felt for them at present. In every town and village there are some people who daily give something to the poor by way of alms and the poor somehow or other fill their stomachs daily. Moreover, the institution of poor-houses means a good deal of expense. The Government and the local bodies are at present lacking in funds, and they cannot afford to open poor-houses. When I oppose the resolution, I do not mean to say that I dislike the poor-houses. What I mean to say, Sir, is that at present I do not feel any necessity for them. At the same time, we have not funds for them. What we should try, Sir, is to make education among the masses free and compulsory. If we succeed in doing that, we will see that the children of the poor are also educated.

In the end I may say, Sir, that the question of poor-houses is a concern of the local bodies, and the matter should be left to them entirely.

**Malik Firoz Khan.**—I think, Sir, the Council will agree in appreciating the spirit in which Mian Ahmad Yar Khan, Daulatana, has brought forward this resolution that we owe a duty to the poor. As the resolution stands, I do not think any Member of this Council will have any cause to disagree with it, because it does not say anything in it as to the money

that has to be got for the institution of these poor-houses. What probably the Mover really means is that the attention of the local bodies should be drawn to this standing need of the country. There is already a provision of law by which education can be provided free if the local bodies—Municipalities and District Boards—are prepared to take up the responsibility of providing funds for it. So I think it will be saving the time of the Council if I move the closure of this question. The whole Council will agree with me that the attention of the local bodies should be drawn to this standing need. I heartily support the resolution.

**The Hon'ble the President.**—I am not yet prepared to accept the closure if any-body wishes to speak.

**Mr. Ganpat Rai,** who spoke in Urdu, supported the resolution. He thought there should be no opposition to this resolution. Some sort of charitable institutions and poor-houses should be started for those unable to work owing to some physical infirmity. The money which the District Boards and Municipalities were spending on gardens, etc., would be more usefully spent in this direction. When such institutions were started, probably private people would contribute largely towards their upkeep, and he supported the resolution of **Mian Ahmad Yar Khan.**

**Khan Bahadur Chaudhri Fazl Ali** who spoke in Urdu, supported the resolution before the Council, and said that work-houses and poor-houses were very badly needed in the Province. They would tend to do much good both to the people and the Government. He urged that local bodies should take early steps in this direction, and he shared Mr. Ganpat Rai's views that private people would contribute to such institutions when started.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain,** who spoke in Urdu, said that before other Members spoke on the resolution, he would like to draw their attention to one or two points. First, the proposal meant that only those who were incapable

absolutely of doing any work, i.e., the halt, the maimed and the blind, should be provided for in poor-houses, and that their children should receive instruction. It was not the intention to provide an easy means of livelihood for hale and hearty beggars. He referred to the Municipal Act, section 52 (d), which empowered Municipalities to take necessary action in this direction. He also referred to the District Boards Act, section 120 (2), which empowered those bodies to deal with this matter. There was therefore no necessity for any further legislation in this matter. The existing law already imposed on the local bodies a duty in this respect. He also referred to the existing Blind School which was primarily meant for the needy blind, in which scholarships were also given, and no fees were charged. Finally, he said that these were not the days of autocracy, but of democracy, and democracy or self-Government implied not the issue of peremptory orders from superiors to inferiors, but the conveyance of suggestion from one to the other. He, therefore, suggested that in place of the words "to issue instructions to the" the words "invite the attention of" be substituted.

**Mian Ahmad Yar Khan, Daulatana.**—I have no objection to accepting the amendment proposed by the Hon'ble Minister.

**Pandit Daulat Ram, Kalia.**—I beg to propose the amendment suggested.

**The Hon'ble the President.**—The amendment proposed by Pandit Daulat Ram, Kalia, is that, in place of the words "to issue instruction to the" we should read "to invite the attention of local bodies" and it will go on to read "to the need for poor-houses at convenient centres for the incapacitated poor, and for free education, technical or otherwise, for their children."

**Chaudhri Kharak Singh.**—I support the amendment.

**The Hon'ble the President.**—The motion before the Council is that the words "invite the attention of the" be substituted in place of the words "issue instructions to the".

The motion was put and carried.

**The Hon'ble the President.**—The motion before the Council is that "This Council recommends to the Government to be pleased to invite the attention of the local bodies to the need for poor-houses at convenient centres for the incapacitated poor, and for free education, technical or otherwise, for their children."

Does any member wish to speak against this motion?

(No member had anything to say against it.)

**Pandit Daulat Ram, Kalit.**—I have simply one word to say. I had put a similar question that local bodies may be asked to keep a register of those persons who cannot support themselves, and that necessary arrangements be made for them. In reply to that question answer was given that the question was brought to the notice of the Municipal Committee. I think to-day the resolution that has been so ably proposed by my hon'ble friend, Mian Ahmad Yar Khan, Daulatana, is something of the same nature, and I support it most heartily.

**The Hon'ble the President.**—Does any Member wish to speak against it?

(No Member had anything to say against it.)

**The Hon'ble the President.**—Does Government wish to make a reply?

**The Hon'ble Khan Bahadur Mian Fazl-i-Hussain.**—No, Sir.

The motion was put to the Council and carried.

## RESOLUTION RE THE LANGUAGE FOR THE TRANSACTION OF COUNCIL BUSINESS.

**Maulvi Muharram Ali, Chishti** (spoke in Urdu).—The resolution standing in my name is that this Council recommends to the Government to take necessary steps

to get substituted the following rule for rule 14 of the Punjab Legislative Council Rules :—

"The business of the Council shall be transacted in Urdu, but any Member, who considers himself not fluent in Urdu, may address the Council in any recognised vernacular of the Province or in English."

There are three kinds of rules concerning this Council :—

(1) The rules framed by the Secretary of State with the consultation of Parliamentary Joint Committee.

(2) Rules issued by His Excellency the Governor of the Punjab.

(3) Rules issued by the Hon'ble the President of this Council.

All the above rules are now in force, and the rule which I seek to be amended comes under (1) above.

I have therefore not requested His Excellency the Governor to amend the existing rule, but have requested Government to take steps to get the rule amended.

I hope that if His Excellency the Governor will support us, the Secretary of State and the Parliamentary Joint Committee will not hesitate in amending the existing rule 14.

My objections to the existing rule 14 are that, firstly, its wording does not suit us; and, secondly, its wording is ambiguous. The existing rule runs as follows :—

"The business of the Council shall be transacted in English, but any Member, who is not fluent in English, may address the Council in any recognised vernacular of the Province, provided that the President may call on any Member to speak in any language in which he is known to be proficient."

I am at a loss to know the proper authority to decide whether a Member can or cannot speak English. For instance, if the Hon'ble the President thinks that a Member is able to speak in English and he orders him to speak in English, but



the Member thinks himself that he cannot speak English well, the Member's position will become a very difficult one.

The wording of my resolution is such that any Member may be at liberty to speak in a language in which he is able to express his views efficiently.

One question would be raised, and it is this: Has the procedure adopted in the Council up to this time been objectionable in any way? I would say 'No.' The Hon'ble President has been very patient and obliging in allowing every facility to the Members. He has done nothing which was not desired by the Council. But this has been a concession. If the Hon'ble the President had confined himself strictly to the rules, he would not have allowed so many Members to speak in Urdu as has actually been done. The Hon'ble Mian Fazal-i-Husain has been speaking in Urdu. So has been Mr. Harkishan Lal. Does this mean that they are not fluent in English. They are able men, but in order to impress themselves on the Council they made speeches in Urdu. Even some of the European Members have made speeches in Urdu, and they have been able to impress themselves more successfully than they could have done otherwise. I say this is a further ground in support of my resolution. We expect that the Hon'ble President will extend this concession to us in future. But we want it to be under the rules.

There are four kinds of Members in the Council:—

(1) European; (2) those who are conversant with English; (3) those who have a smattering of English; and (4) uneducated.

I have taken into consideration the interests of all these four in putting forward this resolution.

I know all the European Members, and I can say that they can speak Urdu easily. It is necessary for the European Members, when they enter service, to pass a test in the vernacular of the Province; and I

think everyone here, every European Member, is able to speak Urdu without trouble.

In all Courts, except the High Court, in the Punjab the language is Urdu, and I can say from personal experience that the European Sessions Judges, Senior Sub-Judges, and Magistrates never have any sort of trouble in understanding the vernacular.

I think it is in the interest of Government that the language of the Council should be Urdu. If that is done, there would be no necessity for a Publicity Board. You can give full publicity to your ideas and policies, and the Members here who are the representatives of thousands of people can give them out to the public outside. They do not understand English well, and whatever is said here is Greek to them.

In the reformed Councils the majority of the Members are to be elected by rural areas, who know nothing of English. If you invite them to your Councils, you should make and provide means for them to understand what is going on here.

In certain quarters it may be understood that my resolution means that the language of all offices of the Council should also be Urdu. That is not yet proposed, though it may be necessary hereafter.

I think my resolution would be to the benefit of Government, the Members and the public abroad. It is inequitable and unnatural to ask us to speak a language which is not our mother tongue. I say it is an unnatural state of affairs. What would be the case if it be ordered that Urdu or any other vernacular should be the language of the Houses in England? Would it not be an unnatural and unjustifiable state of affairs? What would be the case if Russians were asked to adopt French as their language in Councils and offices?

I hope that the Council will accept my motion in the spirit in which I have made it.

**The Hon'ble the President.**—I gather that the Council approves of the system which has been followed hitherto. Does anybody wish to speak against that system? If not, the only task before the Council is to get a form of words to express the present system.

**Mr. E. Joseph.**—Sir, I should like to suggest that the same indulgence be allowed to English Members, who wish to talk in the vernacular, as has been allowed to Indian Members, fluent in English, who have been allowed to talk in the vernacular.

**The Hon'ble the President.**—I quite see the point and will deal with that later. As there is no objection to what has been done during the last fortnight, I suggest that Sardar Mehtab Singh move his amendment, which seems to me to give effect to what has already been done, namely, that the record should be kept in English and the official language should be English, but any Member who wishes to speak in Urdu should speak in Urdu.

**Sardar Bahadur Sardar Mehtab Singh.**—Sir, the amendment which I propose to move is this—

(1) That between the words "in" and "but" the word "English" be substituted for "Urdu."

(2) That between the words "in" and "may" the word "English" be substituted for "Urdu."

(3) That between the words "in" and "any" the words "Urdu or" be added.

(4) That the word "recognized" be omitted.

(5) That the words "or in English" at the end be omitted.

Now it will read like this:—

"That the business of this Council shall be transacted in English, but any Member who considers himself not fluent in English may address the Council in Urdu or in any vernacular of the Province."

This, Sir, is the form in which we have been by your courtesy and kindness carrying on the business of the Council. It would be very interesting for the Members of this Council to hear from me that this amendment, which I have moved, was dictated by the Mover of the resolution. We had a talk together, Sir, and we agreed on the resolution standing in this form, and he very kindly and considerately accepted my amendment. I was already aware of the opinion which he has expressed in the learned and eloquent speech which he has made to-day before this Council, but the question remains that we have been conveniently carrying on the business of the Council for the last three weeks or so, and my amendment does not propose any change. Now, Sir, as this amendment was suggested to me by the Mover of the resolution, I did not think that it would be very necessary for me to make a long speech. But now that he has taken so much pains in putting before the Council his views, I would bring to the notice of this Council that, as a matter of fact, the present democratic ideas which are now being acted upon in this country are really the product of modern civilisation, I might well call it Western civilisation.....

**The Hon'ble the President.**—If the Mover accepts your amendment, need there be any speech? I would, however, suggest for your consideration that the words "who considers himself not fluent in English" be omitted. That will enable me to meet Mr. Joseph. During our recent debates I have reconciled it with my conscience to rule that an Indian gentleman may at certain moments not feel fluent in English. But I have not felt justified in ruling that an English Member is not fluent in English. If those words are omitted, it will be open to any Member to speak in English or in Urdu as he likes. The resolution will then run "the business of the Council shall be transacted in English, but any Member may address the Council in Urdu or in any vernacular of the Province."

**Sardar Bahadur Sardar Mehtab Singh** (continuing).—Sir, I do not wish to traverse all the arguments of the Mover of the resolution, but I think that many of the Members feared that when their speeches were interpreted they would become inert, or weak, or ineffective. But since we have had the present interpreter, that misapprehension has been altogether removed. As regards yourself, Sir, you have been kindness and courtesy itself and have virtually conceded the rights which this resolution asks for. Now, Sir, the record of this Council is to be kept in English, and I think it is most advantageous for us that that is so, for the most liberal and democratic political literature is in English. All the constitutional history and law of the British Empire is in English, and indeed all the political wisdom of the world is translated into English, and this, together with the reports of the debates in the Mother of Parliaments, will be at our disposal for purposes of study. Apart from that the most liberal and most advanced democratic countries in the world are the English-speaking countries. In these circumstances I think it will be a most wise decision of the Council if they decide to retain English as the official language of the Council, but of course it will be open to Members to speak in any vernacular they like. I therefore request the Council to accept the resolution as amended by me, and also with the omission recommended by you, Sir.

**Mr. Ganpat Rai**, speaking in Urdu, supported the amended resolution and said he would have been very glad indeed if English was even more universally used than at present, as he considered that owing to the diversity of languages in India it was all the more necessary to adopt English as the common medium. Moreover, it was the desire of all classes to have more English education and not vernacular education.

**Mian Muhammad Shah Nawaz** (spoke in Urdu).—I will not take much time, Sir. I only wish to make a reply to the

suggestion made by Mr. Ganpat Rai that English should become our universal language.

**The Hon'ble the President**.—The Council has no such proposal before it. The amendment was put and carried.

**The Hon'ble the President**.—Does any Member wish to speak against the resolution as amended?

**Mian Ahmad Yar Khan, Daulatana**.—Sir, I am afraid I cannot lend my support to the resolution now before the Council. I oppose the motion, not because I love Urdu less, but because I love progressive knowledge more.

The question is very controversial, and the best brains of India have been from time to time labouring hard to solve this problem. The consensus of expert opinion, however, has been on the side of the English language. The activities of the late Sir Sayad Ahmad Khan, Srijit Keshab Chandra Sen and other renowned reformers of Bengal and Madras towards this end are too well-known to be enumerated or described. Since the time Lord Macaulay wrote his first despatch on making education free and general, the cause of the English language has been upheld and advocated by those sons of India who had the interests of their motherland paramount in their hearts.

For many centuries India has been taking pains to imbibe Western culture and learn Western sciences and literature through the medium of the English language. The success that India has achieved in making a name among the civilised countries of the modern world is mainly due to its knowledge of language that has a great status as medium of thought in the civilized countries of the modern world. I dare say the work of centuries will be undone if we substituted the English language by any other vernacular of India in this Council which is the first representative body of India under the reformed Government. I would even go a step further. We will be deprived of the opportunity of impressing upon our rulers and the civilized

countries of the world our efficiency and ability to discuss the problems of our country, our needs and wants, our differences of opinion, if we abandoned this language. We speak in this Council not so much to make our countrymen understand our thoughts and appreciate our ideas as we do to impress those who represent the Government in this House with our points of view.....

**Sardar Bahadur Sardar Mehtab Singh.**—Sir, is not the Hon'ble Member under a misapprehension. Those who cannot speak in English must speak in Urdu, and those who can speak in English are at liberty to do so.

**Mian Ahmad Yar Khan, Danlatana.**—Sir, in that case I do not wish to speak any more.

**The Hon'ble the President.**—The motion before the Council is—

“That this Council recommends to the Government to take the necessary steps to get substituted the following rule for rule 14 of the Punjab Legislative Council Rules :—

“The business of the Council shall be transacted in English, but any member may address the Council in Urdu or in any vernacular of the Province.”

**The Hon'ble the President.**—(To Maulvi Mubarram Ali, Chishti) do you wish to reply?

**Maulvi Muharram Ali, Chishti** (spoke in Urdu).—Sir, I am very much thankful to you for your kind attention towards this resolution of mine: and as a result of which it is being carried unanimously. I have also to thank the Hon'ble Members for the good spirit with which they have received my resolution. I shall submit a separate resolution later on with regard to the language in which the records of several offices should be prepared.

The motion was put and carried.

## RESOLUTION RE THE STOP-PAGE OF THE SALE OF DRUGS.

**Pandit Daulat Ram, Katta.**—Sir, the resolution which stands in my name runs as follows :—

“That this Council recommends to the Government to take steps to stop the sale of *bhang* and its preparations, and poppy and opium and their preparations, except on medical advice.”

Sir, in this country we see that the Government makes a little revenue by the sale of opium. This state of affairs is only seen in India as compared with other self-governing colonies forming the British Empire. The British along with many other European Governments took a great deal of interest in discouraging the use of opium in China. At present the Government of India has undertaken to export less and less opium to China every year and the Chinese Government has promised to place a smaller area under cultivation of poppy every year. This drug is very injurious to the health of the people, and in the vernacular the word ‘*afimi*’ is an equivalent for an indolent person. Pale faces, thin bodies show the ravages wrought by the use of this dangerous drug. Morphine, which is a preparation of opium, cannot be sold without the advice of a medical practitioner, but opium itself can be so sold and can be purchased in any quantity by a person. This facilitates not only the free taking of opium but also the commission of many a murder by administering this drug. We see so many *sadhus* in India. They are also the creation of the use of this drug. Many people go to the *sadhus* for discussing religion and are now and then offered a little bit of opium by way of *parshad* and thus get into the bad habit of taking it. The same can be easily said of *sulpha*, which is a preparation of *bhang*. Thus addicted to the use of these drugs and not being able to afford it they become *sadhus*. I would, therefore, ask the Government to take measures to stop the sale of these drugs without looking to the financial interests. By stopping these drugs the

reformed Government would be bringing India on the level of self-governing colonies.

Raja Muhammad Akbar, speaking in Urdu, opposed the resolution. There were already sufficient restrictions on the use of these drugs. Besides, if the resolutions were carried into effect, it would lead to an increased consumption of liquor.

Raj Bahadur Lala Sewak Ram.—Sir, I oppose the resolution of Pandit Daulat Ram, Kalia, on the ground that it would give unnecessary trouble to medical practitioners to keep on giving permits to various people who stand in need of these drugs. It will take all their time in giving these permissions. Therefore it is absolutely necessary that things like this should not be subject to the permission of the medical practitioners.

Besides, the arguments advanced by Mr. Daulat Ram, Kalia, are absolutely unconvincing. Because he wants to control the *sadhus*, he proposes that permission for the sale of these things should be left to the medical practitioners. Then I think the houses of the medical practitioners will be surrounded by *sadhus* always who will be wanting these things. I am sure the Council will agree with me in opposing this resolution very strongly.

Mian Ahmad Yar Khan, Daulatana.—Sir, this resolution reminds me of another resolution moved by a much different person and in a much different time. The Puritan Emperor Aurangzeb in a fit of fanatic zeal of reform proposed to enact in his vast territories the prohibition of wine and other intoxicating preparations. When the news reached his captive father, he laughed and remarked "My son wishes to turn every house into a distillery by closing some licensed shops." The suggestion was conveyed to the Emperor, who realized the truth of what his father had said and abandoned the idea. Sir, vice has its own charms, charms that have successfully thwarted the work of all the legal codes of the world. Even religion with its hopes of heaven and

fears of hell has not been successful in getting the world rid of the Devil. I do not mean to say that no steps should be taken to free the world from the clutches of vice, but the steps should be reasonable and suitable to the conditions of our country. Supposing we take the advice of the Member and recommend to the Government for legislation on this point, will it be possible to carry it into effect?

What has been the fate of the Juvenile Smoking Bill? Has the number of smokers of tobacco decreased? Has the consumption of tobacco been less? I shall request the Members to refer to the statistics, or remember the answer of such a question given to-day in this Council. I do not think we can prevent an inveterate opium-eater from taking opium by simply an Act. He will have to choose between reform resulting in death and life, though half-awake. The measure will force him into a difficult situation. We will turn all honest opium-eaters and their brethren enumerated in this resolution into smugglers and thieves. Not a few will stop short of ending their lives to avoid torments of pain, throbbing of nerves and shaking of bones that they will have to suffer in the absence of their usual dose. This will be carrying reform to its undesirable extremes. If we look on the question from purely medical point of view, we will have to admit that at least opium and poppy are not such a great vice as they are depicted to be. It is an injudicious colouring. I would refer the Hon'ble Member to the report of the Opium Commission and the able treatise written on the subject by Sir John Strachey. We should try to raise the standard of social responsibility and public morality by educating people to adopt measures to prevent their younger generations from getting addicted to the regular use of these drugs. But we should not be indifferent to those who are too old to be reformed. People who have contracted the habit of taking these drugs are groaning under the weight of heavy prices. We will by accepting this resolution either make the habitual users of these drugs leave our Province or make them

prepare their own drugs which will surely be a greater evil. Therefore, I beg to oppose this resolution with a hope that the work contemplated by this resolution will be ultimately done by education when it becomes free and general.

**Sardar Bahadur Sardar Mehtab Singh.**—Sir, I think Mr. Kalia deserves a great deal of credit and sympathy from this Council. It is admitted, Sir, that the use of these drugs is a great evil. Then there are different points of view about the use of these things. My learned friend from Jhelum and my learned friend from Multan—I belong to that part of the country—are right in saying that opium is not used there in such a large quantity. But on the Malwa side, from where Mr. Kalia comes, everybody knows, and I think many members on the official benches know the use of opium is very rife. In the Ferozepore District, if we go there, we see every member of a family is addicted to this evil. It is a very painful sight. When such an evil is going on in that part of the country, it is proper that some sort of remedy should be proposed to stop it. We have now, Sir, at the helm of these affairs, a Minister, whom we can give credit for originality. I think the evil is there, and he should certainly find some means to check it. To-morrow will be brought forward before you a resolution asking for decrease in the sale of liquor. We know that a country like America has put a stop to this evil. We have at the head of this Department a brain who can check this evil. Surely we can decrease the quantity of opium used. There should certainly be legitimate means by which people can obtain any opium absolutely necessary for their use, and there should be some methods to check its use in general. I strongly appeal to the Hon'ble Minister to look into the matter in order to devise some means. Anyhow I say that as the resolution stands, it wants to check this evil; and Mr. Kalia has my strongest support and sympathy for the way in which he

has brought this prevalent evil to the notice of the Council.

**Mian Muhammad Shah Nawaz.**—May I ask what will be our financial position if we were to stop the growth of the poppy.

**The Hon'ble Lala Harkishan Lal.**—It will be worse than it is now. It depends upon the extent to which the cultivation is decreased. If you abolish it altogether, there will be no revenue, but if you want to abolish it only partially, it is very difficult to give you figures.

**Mr. Ganpat Rai,** speaking in Urdu, supported the resolution and said that it would have pleased him better to have included spirituous liquors in the resolution also. He suggested that the best way in which to remedy the existing state of things was to enact a measure prohibiting the use of opium and other drugs in the same way as the Juvenile Smoking Act did. He did not advocate the total cessation of this traffic in drugs, but some attempt ought to be made to restrict it.

**Mr. K. L. Ralla Ram,** who spoke in Urdu, said that he only wished to quote some figures in order to explain to the Council that Government had already done something towards the decrease in the use of opium and other drugs. The figures showed that less opium was manufactured in the last year for which a report was available, and that the number of licensed shops for the sale of opium, *charas*, *bhang* and spirits had been very considerably decreased. That clearly indicated that the Government was awake to the necessities of the case. He regretted, however, that the revenue from this source was increasing yearly. In his opinion, however, a legislative measure, even if introduced by Government, would not do as much good as the co-operation of the people generally towards restricting this evil.

**The Hon'ble Lala Harkishan Lal,** who spoke in Urdu, said it had been stated that there was no opium traffic in the



Colonies, because there was a regulation against it. This may be correct to some extent, but, as a matter of fact, the custom in this country was very old established, and it was a more difficult matter to root it out. As regards the Ferozepore District, which was said to be particularly addicted to this evil, he would do all that lay in his power to check its growth. As had been explained by Mr. Rallia Ram, Government had always done its best to regulate the traffic in opium, etc. They had not of course gone to the length of absolutely putting a stop to it. They had not, however, any desire to increase their revenue from this source and were on the contrary keen to restrict it as much as possible. Any member who wished to do so could verify this by a comparison of the figures given in the annual reports of the last few years. He did not think the Government could absolutely stop this traffic, but he assured the mover of the resolution that if he would withdraw his resolution, he would on behalf of Government see that every possible effort was made to keep the evil within reasonable bounds.

Pandit Daulat Ram, Kalla (spoke in Urdu).—It has been said that I should have included in my resolution the stopping of the sale of wine as well. As the 'Wam Margis' consider it their religious duty to drink on their festivals, I purposely abstained from including wine in my resolution fearing that Mr. Ganpat Rai, the representative of the Hindus, may oppose me on the contention that I proposed to interfere with their religion.

It has been asked that what would be the condition of those, addicted to the use of these things, if their sale was stopped all at once. I may point out that, with the help of Temperance Society pills named "Asim chhuran golian" have been prepared and those addicted to the use of opium can gradually give it up by using these pills. In my resolution I have not proposed that Government should all at once prohibit the sale

of these things, but what I have proposed is that Government should take steps to stop their sale. I would propose that like morphia and arsenic these things should also be sold only by licensed medical men to those persons only who have been medically advised to use these things. In Colonies the sale of these things is not a source of income; but here the case is contrary.

The Hon'ble Lala Harkishan Lal (spoke in Urdu).—It has been said that Government makes no revenue out of opium in the Colonies and in England. But I should point out that opium is not used in the Colonies and England. Government gets sufficient revenue on liquor, which is used there. I have never heard of a man reduced to poverty owing to the use of *bhang* and poppy, though I have heard that men using *bhang* talk things which please others. Mr. Ganpat Rai has suggested that legislation should be enacted that no person under the age of 25 should use *bhang* and poppy, and that this legislation should be on the lines of the existing law about the prohibition of the use of tobacco by small boys. I would like to tell him that if he intends to make such a legislation, he should do so for the men, who are above 40, as, generally speaking, men under 40 are not already addicted to these things. Opium is considered to be a good remedy for diabetes and people with a view to avoid this disease commence using it after the age of 40 or 45.

Some people use a little quantity of *bhang* in order to avoid the harmful effect of the change of climate.

It would not be proper for Government to prohibit the use of opium and *bhang* by the above-mentioned persons, who do not take them with a view to intoxicate themselves. The policy pursued by the Government is that of reformation and I will also do the same. I will not be neglectful to check the excessive use of these things where necessary. After every second or third year Government increases the price of opium with a view to discourage people

from taking it, and as a result its price has risen from 2 or 3 lakhs to 30 lakhs during the last few years.

**Pandit Daulat Ram, Kalla.**—Sir, I withdraw my resolution after hearing the Hon'ble Minister.

**The Hon'ble the President.**—The motion before the Council is that leave be given to Pandit Daulat Ram, Kalia, to withdraw his resolution.

The motion was by leave withdrawn.

### RESOLUTION RE MODIFICATION OF ARTICLE 833, CIVIL SERVICE REGULATIONS.

**Dr. C. A. Owen.**—Sir, I beg to move the following resolution :—

This Council recommends to the Government to take the necessary steps so as to modify article 833, Civil Service Regulations, as to provide that all medical certificates granted to Government servants by Registered Medical Practitioners whose names are borne on the Annual Medical List compiled by the Punjab Medical Council shall be accepted without the countersignature of the Officer-in-chief Medical charge of the district.

Sir, I beg to address through you today on behalf of a class which is like the heart to the human society. As the heart is never at rest, and has to work day and night for the system, similarly a medical man has to work for humanity at large at all hours, and there is no time which he can call his own. Medical men have got to serve humanity irrespective of their caste, creed and colour equally in times of peace and war. The services of this profession were of the greatest magnitude during the great war. No less than 920 medical graduates of the various Indian Universities from the private practitioners, and Civil Assistant Surgeons, joined the Indian Medical Service, and a large number of the Civil Sub-Assistant Surgeons as well entered the Military ranks.

Although the position of Medical men is unique in the society, their claims and privileges have not usually been considered

adequately by Government. The reason being that most of the time of members of this class is generally spent in the care of others and they can hardly get opportunities to put their own case forcibly before the Government.

In all other civilized countries of the world members of this profession are treated equally, whether they are independent practitioners, or belong to services. But here in India, the members of the independent profession are given a status inferior to that of members of some Medical Services, and among members of Medical Service themselves some are given unjust preference over others in professional matters.

It is only fair that the dignity of the profession must be kept up as a whole, irrespective of their belonging to the services or not. Ordinarily if a case is being treated by a Medical man, his certificate should be considered sufficient. If such certificates issued by practitioners are sent to others for countersignature simply because the former does not belong to a special service, it is only rational that Medical men should feel humiliated. This is clear from the representations made to the Minister in charge of the Ministry of Education, by the Punjab Medical Union, on behalf of the independent Medical profession in the Province; and also from the memorial recently submitted to the Inspector-General of Civil Hospitals, Punjab, by the Civil Assistant Surgeons of the Province on behalf of their service.

With the enforcement of the Medical Registration Act of 1916, the provisions of article 833 of the Civil Service Regulations should have been materially altered by the abolition of the countersignature of certificates, as was recommended unanimously by the Punjab Medical Council in November 1917, on a motion by Dr. Mirza Yaqub Beg, as amended by Colonel James, C.I.E., I.M.S. It is clearly stated in the Act under section 4 (1) that "No certificate required by any Act in force, or any that may hereafter be passed, from

a Medical Practitioner or officer shall be valid unless signed by a registered practitioner, while the Punjab Medical Council is authorised to remove the name of a practitioner from the list, who may be found guilty of giving a false certificate,—(*vide* section 16 of the Punjab Medical Registration Act, II of 1916, and the warning notice), therefore there should have been no difficulty for the Government to resolve that Medical certificates granted to Government servants by Medical Practitioners, whose names are borne on the Annual Medical List, be accepted without the countersignature of Officer-in-chief Medical charge of a district. On these very grounds, at the introduction of the Registration Act, similar resolutions have been introduced by the Government of Bengal and Bombay. The original letters on this subject from the Registrars of these Medical Councils, which enclose copies of resolutions of these Governments on this question can be laid on the table. There is no doubt that other Provinces have also taken similar steps. I have a letter, dated the 19th October 1920, from the Inspector-General of Civil Hospitals, Central Provinces, to the address of Dr. Mirza Yaqub Beg, Member of the Punjab Medical Council, which bears on the same subject. In this Province, although the Medical Registration Act had not been enforced till then, the countersignature of certificates had been abolished in the case of certificates issued by University graduates or those who possess qualifications registerable in Great Britain. This letter is also laid on the table.

It appears that the Punjab Government also saw the necessity of making such a change in the Civil Service Regulations, article 833, by abolishing the countersignature of certificates, as had been recommended by the Punjab Medical Council for registration, as is clear from the Punjab Government circular No. 13953 (Home—Medical and Sanitary), dated the 22nd May 1919. Under paragraph 3 of this letter, Government gave discretion to the heads of departments to accept certificates other than

those directly serving under a Civil Surgeon; and under paragraph 4 of the same letter, the heads of departments were asked, as a matter of practice, to accept certificates without countersignature. But exactly one year after the circular was issued, and while the contents of it had hardly reached every practitioner in the Province, the 4th paragraph of this circular was withdrawn; with the result, that the status of the practitioner in the Province became worse than what it was before:—

(a) Under the old rules—letter No. 556 (Home—Medical and Sanitary), dated 29th July 1910, from the Secretary, Punjab Government, to all heads of departments.—His Honour the Lieutenant-Governor had authorized all heads of offices to accept without countersignature Medical certificates granted by Medical Practitioners possessing the qualifications of M.B., B.S. or L.M.S. of an Indian University, or any qualification in Medicine and Surgery registerable in Great Britain and Ireland. Such certificates, when granted for leave for periods exceeding 6 months, required the countersignature of the Inspector-General of Civil Hospitals only—(*vide* Appendix XIX, Punjab Medical Manual 1910).

(b) Now under the existing circumstances after the issue of the memorandum, No. 16923, dated the 26th May 1920, cancelling paragraph 4 of circular No. 13953, dated the 22nd May 1919, referred to above, the heads of departments often interpret it to mean that countersignature is necessary and indispensable in certificates issued by practitioners other than Civil Surgeons themselves.

(c) It is clearly laid down in the representations of the Punjab Medical Union to the Minister that generally all independent practitioners, without exception, are meted out this treatment; the elected Indian members to the Punjab Medical Council form no exception. The Civil Assistant Surgeons have got the same complaint, as is clear from their memorial, that, according to the new

regulations, they are treated even worse than the practitioners. Since the Medical Registration Act lays down the minimum qualifications for registration, it is highly imperative that the certificates of all the practitioners on the Annual Medical list be accepted without countersignature, as is done in other Provinces.

The answer by Government to the two questions put by me pertaining to the countersignature of certificates are not at all satisfactory.

(1) There are reasons to doubt the accuracy of the statement made by the Minister, with reference to the grounds for cancelling the order, doing away with the countersignature; in so far as no such case against any of the practitioners were brought during the year under reference before the Medical Council, in which they were found guilty of issuing false certificates. The opinions of a Civil Surgeon or that of a head of a department can form no criterion in such cases.

The Punjab Medical Council, on the other hand, passed a resolution for the second time in December 1919 to do away with the practice of countersignature of certificates. Had the Council any complaint against such a procedure, why should it have endorsed its former resolution during the same year; in which, as it has been alleged, some practitioner did not behave properly in that respect.

Even if some of the practitioners were defaulters in this way, there is no reason why such an extreme step should have been taken by Government, which deprived all the practitioners of a privilege that was granted to them, only for the first time, in this Province.

If Government has thought fit to take such a one-sided view of the situation, may I ask if Civil Surgeons are infallible in this respect? Are there not cases on record in courts of law in which some Civil Surgeons were found to have issued false certificates? Has it not been a matter of frequent occurrence that candidates pronounced unfit for Government

service managed to get a certificate of fitness for service from another,—vide note on Rule X, Appendix XLV, of the Punjab Medical Manual—latest Edition.

The Government has directed the Standing Medical Board to hear appeals from candidates declared unfit by Civil Surgeons in this way; but has not taken the power of granting certificates from them. Why should it injure in this way the whole class of practitioners by suspicious action on the part of some of them. All such cases should be referred to the Punjab Medical Council, whose decision shall be final.

(2) The Hon'ble Minister showed his ignorance about the rulings of other Provinces in this respect, while there was ample time to get such an information from the Provinces. In fact, the Punjab Medical Council office should have supplied the information.

The representation of the Punjab Medical Union to the Minister contains a full copy of the resolutions of Government of Bengal on the subject, of which the original copy, as obtained from the Registrar of the Bengal Medical Council, is placed on the table, together with the rulings of the Bombay and Central Provinces Governments.

I hope, with the information now placed before the Government, it will not hesitate to remove the grievance and will do away with the countersignatures of certificates as had been done in other provinces, and will resolve in the manner proposed by me.

The Hon'ble Khan Bahadur Mian Fazl-i-Hussain spoke in Urdu and said that Government servants were entitled to a certain amount of leave which they could not exceed, and if they wished to, they had to submit a certificate of medical unfitness. The whole question was that Government was entitled, before granting leave claimed on grounds of medical unfitness, to verify that unfitness on the part of the applicant to discharge the duties of his post. In 1919 it was decided that certificates granted by Doctors on

the Medical List were to be recognized by the Heads of Departments without countersignature of a Civil Surgeon. But in a few months some cases came to the notice of Government where the certificates had not been granted for due and proper cause. They were therefore compelled in defence of their own interests to cancel that circular and again require the countersignature of an officer in medical charge of a district. In the meantime the Council has been inaugurated, and this question has again been brought up. With the request now made he had every sympathy and said that a circular letter had already been issued which contained the following instruction:—

"I am to add that, as a matter of practice, non-countersigned certificates of such medical practitioners should ordinarily be accepted by heads of offices, unless there are special grounds for not doing so."

He hoped that the words "should ordinarily be accepted" would satisfy all parties, and the matter could then be disposed of. He himself intended to remove all the complaints. He hoped that the mover of the resolution was satisfied after hearing him.

**Mian Muhammad Shah Nawaz** (spoke in Urdu).—The summary of the speech made by Hon'ble Khan Bahadur Mian Fazl-i-Husain is that the certificates issued by the practitioners on the list of the Punjab Medical Council be accepted. I am at a loss to understand the necessity of making any proviso. In my opinion private practitioners are reliable persons and they should be respected. People are put to a great deal of inconvenience by waiting upon the Officers of the Medical Department for getting certificates, and it would be better if the Hon'ble Minister would do away with all the conditional wordings.

There are prominent medical practitioners on the list of the Punjab Medical Council. They have left Government service, because they can earn more as

private practitioners than as Government servants. It would be improper if certificates granted by prominent men like Dr. Hira Lal, Dr. Bili Ram and others are not accepted. My opinion is that all men on the list of Punjab Medical Council should be competent to issue certificates. I would therefore request Mian Sahib to withdraw the word "Ordinarily."

**The Hon'ble the President.** (To Dr. Owen).—Do you accept the amendment proposed by Hon'ble Khan Bahadur Mian Fazl-i-Husain?

**Dr. C. A. Owen.**—No, Sir.

**Mr. E. Joseph.**—I understand that the Hon'ble Minister for Education has virtually made an offer on behalf of Government to revert to the Circular Instructions which were in force in 1919 which removed all grievances except perhaps those of Government subordinate Medical Officers. I think he intended that in future Heads of Offices, while considering applications for leave, should be instructed *ordinarily* to accept the certificates presented by any practitioner whether a private practitioner or a Government medical practitioner subordinate to the Civil Surgeon, that they should be instructed to accept these certificates in ordinary practice without countersignature, and that they should only refuse to do so if there are any special grounds for it. This seems to me to be a very generous and reasonable offer, and I am rather surprised that the Mover of the Resolution has rejected it and desires to press his Resolution on the Council, and that Mr. Shah Nawaz also urges that a Head of Office should be forced, rather compelled, under all circumstances to accept the certificate of any practitioner whose name is on the medical register, and that that certificate should under no circumstances be open to objection, and that there should be no necessity of its being countersigned by the Civil Surgeon. It is perfectly true that he has the power of bringing the certificate, whose *bona fides* he suspects, to the notice of the Government, but in

the meantime he has to decide whether or not to accept the certificate and give the leave to the clerk who has applied for it or refuse it and therefore he must before granting leave check the genuineness of the ailment and the certificate on which he applies for leave. I do not see how Government can be forced to accept the certificate in all circumstances. I think that the Mover of the Resolution, when he says that the distinction drawn between private practitioners and the Government Service is not found anywhere else in the world, has perhaps forgotten the fact that Government is the largest employer of labour in this country. I do not think it is reasonable to ask an employer to accept certificates to the extent that he is compelled to accept the certificate and give the man the leave that is sought. Of course, I admit it is open to the Head of an Office to accept the medical certificate and refuse the leave. I remember a story when I was at Oxford of a certain professor who was confronted with a difficulty of this sort where he considered that an undergraduate was telling a lie. He said to the undergraduate: "I must accept your word as a gentleman, but I shall treat you as if I did not." It is of course open to the Head of an Office in the same way to accept the medical certificate as correct, but refuse the leave which is required by the suffering patient. Short of such a remedy, I do not see how any employer can be dictated to and compelled to accept a certificate and submit to such dictation. I have got here a copy of the *Tribune*,—for years I have been reading the *Tribune* in my luncheon hour. I always read the advertisements of the *Tribune*, which are most amusing; and here I have one for the British Indian Insurance Company, Limited. The Directors of this Company are—

D. Johnston, Esquire, Mill-owner and Notary Public, Lahore (Chairman).

Raja Narendra Nath, M.A., M.L.C., Diwan Bahadur, retired Deputy Commissioner, Lahore.

Rai Bahadur Bakhshi Sohan Lal, M.L.A., Vakil, High Court, Lahore.

Dr. C. A. Owen, M.D., F.R.C.S., M.L.C., Meleod Road, Lahore.

I won't trouble with the names of the remaining directors.

\* \* \* \* \*

Chief Medical Officer—Lieutenant-Colonel D. M. Davidson, I.M.S., Civil Surgeon, Lahore.

Now, Sir, why do the Director of the British Indian Insurance Company not practise the same doctrine; why do they have as their Chief Medical Officer a Civil Surgeon, why are they not prepared to accept any certificate from any practitioner and insure the life certified? Are they not possibly afraid that some ill-looking life may be insured, and is it not for the same reason that they have appointed Colonel Davidson as their Chief Medical Officer to give or scrutinize medical certificates? It seems to me that the Government is exactly in the same position, and they must be allowed to call for countersignature of a certificate in cases where they do not believe that there is such a risk of life as is represented by the certificate. I think it would be sufficient if the Heads of Offices are instructed under ordinary circumstances, unless there is good reason to the contrary, to accept a certificate, and Government in doing so, I think, is conceding all that can reasonably be expected from it.

Mr. Ganpat Rai, who spoke in Urdu, said he was sorry to hear Mr. Joseph's speech. The Council was there to rectify all wrongs, and not take them as they were.

If the British Indian Insurance Company had appointed Colonel Davidson as their Chief Medical Officer, it was following an example set by Government.

As it was no one accepted any medical certificate unless it was countersigned by a Civil Surgeon. He thought this was almost unjust practice, because there were many retired officers of the Medical Department, like Dr. Owen, who had themselves been in charge of districts, and



were competent enough to be absolutely trusted. He would not refer to the indigenous Hakims and Vaidas who under the existing system had simply passed out of the ken of men, but it was the Government and English-trained medical practitioners who suffered grievously by this unjust treatment. In view however, of the Hon'ble Minister's promise that in the future the certificates of these men would "ordinarily be accepted" he would advise Dr. Owen to accept the promise made for the present, withdraw his resolution, and see how it worked.

**The Hon'ble the President.**—Dr. Owen: I should like you to make it clear what you mean by the word "accepted". Do you mean that the certificates must be approved of, and that the Government has no choice but to act on those certificates? Or do you mean that the system of countersignature should be done away with, leaving it to Government to get a separate second opinion about its employees when it so desires? Mr. Joseph has joined issue on the point that it must be open to Government to get an opinion from an officer of its own choice, and the debate is straying off on to this question. But I am not sure that this matter is really in issue.

**Dr. Owen.**—I mean that in doubtful cases Government may consult another officer, but in that case the practitioner granting the certificate should also be present at the re-examination.

After some further discussion Dr. Owen agreed to change the word "accepted" into "received".

**Mr. Manohar Lal.**—Sir, I move that the word "received" be substituted for the word "accepted".

**Maulvi Muharram Ali**, speaking in Urdu, said this seemed to him to be playing with words. The word 'received' meant nothing at all. Either the Government must accept a certificate or it must refuse to do so.

**The Hon'ble Lala Harkishan Lal**, who spoke in Urdu, said he had been connected with an Insurance Company for a good many years. He was not aware of any Insurance Company in the world which agreed to insure the life of an individual without first obtaining a guarantee, in the shape of a certificate from a competent medical practitioner chosen by themselves as to medical fitness of the applicant. This practice had been in vogue ever since Insurance Societies had existed. He did not see why Government servants should be exempted from this very right and proper custom when they sought to obtain a benefit contingent on a certain condition; and it was clearly the right of Government to verify the existence of that condition through such agency as it thought fit.

**Mian Muhammad Shah Nawaz**, speaking in Urdu, said that he was against the amendment proposed. The word "received" had no meaning, and he proposed a slight alteration in the wording of the resolution, namely, that the certificate "shall be accepted unless it is proved to the satisfaction of Government that the said certificate is not correct". That is, that ordinarily it should be accepted unless the Government had good grounds for suspecting the *bona fides* of the practitioner in question.

**The Hon'ble the President.**—I think there is some misunderstanding as to the meaning of the word "received". What the medical practitioners object to is that their certificates are not accepted without countersignature and they are thus labelled as inferior persons professionally. All members appear to be agreed as to what they want, and it is only now a matter of getting a formula. If the word "received" is not liked, it can be withdrawn and some other word substituted.

**Mr. Manohar Lal.**—I ask leave to withdraw my amendment proposing the word "received".

**The Hon'ble the President.**—The proposal is that the amendment to substitute the word "received" be withdrawn.

The amendment was by leave withdrawn.

Mr Ganspat Rai.—Sir, I propose that the word "ordinarily" be added before the words "be accepted" in the fifth line of the resolution.

The Hon'ble the President.—The amendment now before the Council is that before the words "be accepted" the word "ordinarily" be added.

The amendment was put and carried.

The Hon'ble the President.—Now the motion before the Council is "that this

Council recommends to the Government to take the necessary steps to modify article 833, Civil Service Regulations, so as to provide that all medical certificates granted to Government servants by Registered Medical Practitioners, whose names are borne on the Annual Medical List compiled by the Punjab Medical Council, shall ordinarily be accepted without the countersignature of the Officer-in-chief medical charge of the district."

The motion was put and carried.

The Council adjourned until 10-30 A.M. on Wednesday, the 16th March 1921.

## PUNJAB LEGISLATIVE COUNCIL.

*Wednesday 16th March 1921.*

The Council met at the Council Chamber at half past ten of the clock. The Hon'ble the President in the Chair.

### QUESTIONS AND ANSWERS.

#### SIRHIND CANAL.

273. **Pir Akbar Ali.**—Will the Government be pleased to state the policy which guides the Sirhind Canal authorities to frequently revise the Chakbandi and reduce the number and dimensions of the outlets on that Canal? Is the Government aware that this practice is likely to lead to corruption and result in dissatisfaction amongst the public?

The Hon'ble **Sardar Bahadur Sardar Sundar Singh Majithia**—Figures and facts are not at hand at present, but a report will be placed before the Council as soon as these have been received from the Circle concerned.

#### JUDICIAL FUNCTIONS PERFORMED BY EXECUTIVE OFFICERS.

274. **Pir Akbar Ali.**—Is the Government aware that, generally speaking, the Executive Officers, who have to discharge various duties, hardly find any time for the disposal of judicial work? Will the Government be pleased to state what steps are being taken to remove this evil?

**Mr. C. M. King.**—Government is aware that its Executive Officers are all hard-worked, but it is scarcely accurate to say that they can hardly find time for the disposal of judicial work. Government is considering measures of relief for its officers.

#### PASTURE LAND IN THE NEW ABADIES.

275. **Pir Akbar Ali.**—Will the Government be pleased to state whether any steps have been taken to reserve any area for pasture land in the new abadies, and, if so, what proportion such reserved area bears to the whole?

The Hon'ble **Sardar Bahadur Sardar Sundar Singh Majithia**.—Yes, areas are reserved in new abadies in the proportion of 10 per cent of the village areas.

#### PUNJAB IRRIGATION ASSOCIATION.

276. **Chaudhri Bans Gopal.**—(1) Has the attention of the Government been drawn to the proceedings of a special meeting of the Punjab Irrigation Association, published on page 6 of the *Tribune*, dated 31st December 1920, under the heading "Punjab Irrigation Association?"

The Hon'ble **Sardar Bahadur Sardar Sundar Singh Majithia**.—The reply to question (1) is in the affirmative.

277. **Chaudhri Bans Gopal.**—(2) If so, will the Government be pleased to state—

(a) What, if any, action has been taken on the memorial submitted by the said Association?

(b) Has any interview been granted so far to the representatives of the said Association to enable them to lay their grievances before the Government?

The Hon'ble **Sardar Bahadur Sardar Sundar Singh Majithia**.—(a) As Government does not, at present, recognize

associations, no action could be taken on the proceedings in question which were received by telegram from the Association.

(b) Interviews are not granted to the representatives of associations composed of Government servants, but the Chief Engineer has granted interviews to the representatives of the following classes of establishment:—

Deputy Collectors, Zilladars, Revenue Munshis and Lower-Subordinates.

**Chaudhri Bans Gopal.**—Has the Government any intention of recognizing these associations in the near future?

**Malik Firoz Khan.**—I am not aware of any such intention.

**278. Chaudhri Bans Gopal.**—Is there any scheme under preparation for enlarged emoluments for the Punjab Irrigation employees?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The Government took up the question of revision of pay of all classes of establishment in the Province in 1920, and so far new scales of pay of all non-gazetted establishments drawing less than Rs. 250 per mensem have recently been sanctioned.

**279. Chaudhri Bans Gopal.**—If so, to what extent the representations set forth in the memorial and the resolutions of the Association respecting the salaries of Deputy Collectors and Zilladars have been taken into consideration in the formulation of the new scheme?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—As stated in the reply to question 2 (a) communications from associations are not considered. The memorials from Deputy Collectors and Zilladars were, however, considered at the time of framing the revised scales of pay, etc., for these establishments as also the views and requests of the representatives whom the Chief Engineer saw and where practicable the demands have to a large extent been met so far as Zilladars are concerned. The demands of Deputy Collectors are still under consideration.

**280. Chaudhri Bans Gopal.**—Has the Government taken any action on the resolution and reasons given therein of the said Association praying for raising the travelling allowance of Zilladars to Rs. 4-8-0 per diem?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The reply is in the negative. Government have, however, quite recently increased the travelling allowances of Zilladars by 50 per cent.

**281. Chaudhri Bans Gopal.**—By what time will the new scheme be put in force, and by what date will the final announcement of the Government be made in this respect?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Attention is invited to Punjab Government Press *Communiqué*, dated the 27th January 1921. The date from which the revisions sanctioned therein will take effect is 1st October 1920. It is expected to put the new scales of pay into force by 15th March 1921. The revised scale of pay for Deputy Collectors is, however, still under consideration.

## AGRICULTURAL FARM IN KARNAL.

**282. Chaudhri Bans Gopal.**—Is there any proposal to acquire nearly 300 bighas of land for the establishing of an agricultural farm in Karnal?

**283.** Will acquisition of land for the above purpose at the sites proposed deprive some of the proprietors of their entire holdings and others of a good portion of their small holdings?

**284.** Is it a fact that the latest sales in the locality have been at Rs. 200 and more per bigha, and calculating at the present market value the purchase of land alone will cost between 50 to 60 thousand rupees?

**285.** Is there not a Government Military Dairy Farm at Karnal covering an area of several thousand bighas originally required for Karnal Zamindars?

286. Is the Government prepared to take steps to acquire land for agricultural farm out of the Military Farm area in order to avoid taking up land belonging to small biswadars at Karnal?

The Hon'ble Lala Harkishan Lal.—It will be convenient to reply to questions 282 to 286 together.

It is understood that there are proposals regarding the acquisition of land for the establishment of an agricultural farm at Karnal, but the correspondence has so far proceeded only between the Deputy Commissioner of Karnal and the Deputy Director of Agriculture, Hansi. The points raised by the member will be borne in mind when the proposal matures.

#### NON-OFFICIAL PRESIDENT FOR THE KARNAL MUNICIPALITY.

287. Chaudh Bans Gopal.—Has the Karnal Municipal Committee been granted the right of electing non-official President?

288. By what time will the Karnal District Board be conceded the same right?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—The Hon'ble Member is referred to the reply given to question No. 125 asked by Chaudhri Atma Ram on the 1st March.

#### LYALLPUR AGRICULTURAL COLLEGE.

289. Chaudhri Bans Gopal.—Will the Government be pleased to lay on the table a statement showing the expenditure incurred by the Government for the last five years for the maintenance of the Lyallpur Agricultural College and experimental agricultural farms of the Province?

The Hon'ble Lala Harkishan Lal.—A statement showing the information required by the member is laid on the table.

*Expenditure incurred on the maintenance of the Punjab Agricultural College, Lyallpur, and experimental farms.*

Year.	Lyallpur Agricultural College.	Experimental Agricultural Farms.
	Rs.	Rs.
1915-16 ...	71,276	51,076
1916-17 ...	74,872	65,778
1917-18 ...	59,911	66,406
1918-19 ...	66,272	84,709
1919-20 ...	92,210	86,489

#### SPECIAL GRANTS TO ZAMINDARS.

290. Chaudhri Bans Gopal.—Will the Government be pleased to take early steps to introduce a system of advancing loans of subsidizing and making special grants to enable the zamindars to sink wells, erect lifting plants and other machineries for lifting water suiting to the local conditions of areas not irrigated by canal?

The Hon'ble Sardar Bahadur Sardar Sunder Singh, Majithia.—The Land Improvement Loans Act and Standing Order No. 32 provide the machinery necessary for the loans contemplated by the member. The sum actually advanced for such loans in 1919-20 was Rs. 2,24,000, and Rs. 2,75,000 have been provided in the budget for 1921-22 for the same purpose.

#### RETURN TICKETS.

291. Chaudhri Bans Gopal.—Will Government state if the issue of return tickets, which was stopped as an emergency measure, will be resumed?

The Hon'ble Sir John Maynard.—The matter is one which rests with the administration of the North-Western Railway over which this Government has no control.

### HORSE ALLOWANCE TO KANUNGOS.

292. Chaudhri Bans Gopal.—Is it a fact that the maximum horse allowance given to the Girdawar Kanungos, who are required to keep a horse, is Rs. 5 only?

293. If so, will the Government take early steps to revise the scale to meet the current expenses necessary for the maintenance of a horse?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—The previous field allowance of Rs. 5 or Rs. 10 per mensem to the Field Kanungos intended partly as a contribution to the cost of

the upkeep of a horse and partly as a reward for good work has now been replaced by a horse allowance of Rs. 20 per mensem with effect from 1st October 1920.

### PUNJAB PUBLICITY BOARD.

294. Chaudhri Bans Gopal.—Will the Government be pleased to lay on the table a statement of expenditure incurred by it for the maintenance of the Punjab Publicity Board since the time of its creation?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—The statement is laid on the table.

*Statement of expenditure incurred by the Government on propaganda work since the creation of the Publicity Board.*

	1st July 1918 to 31st March 1919.	1st April 1919 to 31st March 1920.	1st April 1920 to 15th January 1921.	Total.
	Rs.	Rs.	Rs.	Rs.
Expenditure ...	2,31,407	1,67,043	1,08,518	4,96,968
Income ...	34,478	45,948	24,070	1,04,496
Net expenditure ...	1,86,929	1,21,100	84,448	3,92,475

ABDUL AZIZ,

*The 1st March 1921. Joint Secretary, Punjab Publicity Committee, Lahore.*

295. Chaudhri Bans Gopal.—Is the Government prepared to abolish such Board with the return of normal times?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—It is not proposed at present to abolish the Publicity Department. When normal times return the question can be considered.

### WATER-SUPPLY IN AMBALA.

296. Rai Sahib Lala Panna Lal.—Is the Government aware that inconvenience is felt by the residents of Ambala City and civil lines on account of the inadequate water-supply?

(a) Has the Government received any proposal from the Municipal Committee



of Ambala City to depute some expert to examine the existing water works, with a view to their improvement or extension?

(b) If the reply to the above question be in the affirmative, will the Government state what steps it has taken, or intends to take, to give effect to the said proposals, and if so, will the Government be pleased, of its own initiative, to depute an expert to suggest the ways and means of ensuring an adequate water-supply to Ambala City?

(c) Is Government aware that house connections of pipewater are not available in Ambala Cantonment, and that a part of the thickly-populated Saddr Bazaar has few stand posts? Will Government, in view of the fact that a water tax is levied, take steps to remedy the deficiency?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—A letter, dated the 23rd February 1921, from the President, Municipal Committee, Ambala City, asking for the deputation for about a month of an expert to study the present distribution system and to make out an estimate for the removal of the defects in the existing water works at Ambala City has been received by the Sanitary Engineer to Government, Punjab.

The Sanitary Engineer informed the President, Municipal Committee, that he is deputing Mr. D. A. Howell, Assistant Sanitary Engineer, who is an expert in water-supply, to investigate the distribution system and to report thereon. Mr. Howell will visit Ambala for this purpose on 10th March.

The reply to the first part is in the negative. Much money and much attention have been bestowed for years past on the water-supply of Ambala City, which has received special indulgence from the Sanitary Board by reason of the unfortunate sub-soil conditions, which have led to the persistent lowering of the water table. Government, under the circum-

stances, does not contemplate taking any further action.

### COMPENSATION TO SUFFERERS OF JALLIANWALA BAGH.

**297. Rai Sahib Lala Panna Lal.**—Will the Government be pleased to state if any compensation has been allowed to the sufferers of Jallianwala Bagh tragedy of 1919? If so, will it lay on the table the names of recipients of this compensation, the amount paid to each and the basis on which the compensation has been calculated?

Has the Government received any representation from the Bar Association, Amritsar, to the effect that the proposed levy of indemnity from the city of Amritsar is illegal and *ultra vires*?

Will the Government state what steps in the light of the above representation the Government proposes to take to meet the public wishes in this matter?

**The Hon'ble Sir John Maynard.**—The answer to the first part of the question is in the affirmative. A statement showing the names of recipients and the amount of relief paid to each is laid on the table. Cases requiring relief were divided into four classes, and the amounts paid to individuals ranged from Rs. 200 to Rs. 600 according to the circumstances of the recipient, which were carefully enquired into by the Deputy Commissioner. A further sum of Rs. 5,000 has recently been sanctioned for the grant of further relief.

Government has seen the representation of the Bar Association, Amritsar, and the questioner's attention is invited to the answer given to a similar question put by Maulvi Muharram Ali, Chishti. The matter, however, has been practically decided by this Council in the resolution passed on the 25th February, wherein it was recommended that the whole cost of the indemnity should be paid by the local Government.

*List of persons compensated on account of those killed at Jallianwala Bagh.*

## AMRITSAR TAHSIL.

Serial No.	Name, etc.	Amount paid to each dependant.
		Rs.
1	Jiwani, mother of Viroo, of Makhamundi	300
2	Hawan, widow of Viroo, of Warpal	300
3	Dewan, widow of Narain, of Wanhari	500
4	Alahi Bakhsh, father of Bukandia, of Thande	200
5	Isari, widow of Prem Singh, of Kaler Mengat	500
6	Bhagat Ram, father of Chanan, of Majitha	200
7	Gulab, father of Karam Din, of Sohian Kalan	300
8	Tabi, grandmother of Sunder Singh, of Manswala	300
9	Bata Singh, son of Kesar Singh	500
10	Attari, widow of Ganga Singh, of Mahul	500
11	Mankaur, widow of Gopal Singh, of Vallah	300
12	Asa Singh, father of Kehru, of Varpal	200
13	Biseo, widow of Lachhman Singh of Chahba	500
14	Abnashi Ram, son of Amin Chand, of Muradpur	400
15	Lachhmi, widow of Ganda Singh, of Qilla Jiwan Singh	500
16	Bhagwadai, widow of Lachhman Singh, of Muradpur	500
17	Musammat Harnam Kaur, widow of Thakur Singh, of Mahman, Tahsil Amritsar.	300
18	Kishan Singh, son of Khazan Singh, Jat, of Galwali, Tahsil Amritsar.	600
19	Hardit Singh of Mama Pondori	500
Total		7,400

These two men were wounded and have been compensated.

*List of persons compensated on account of those killed at Jallianwala Bagh.*

TARN TARAN TAHSIL.

Serial No.	Name, etc.	Amount paid to each dependant.
		Rs.
1	Chani Lal, father of Vashno Daa, of Tarn Taran ...	400
2	Puran Kaur, wife of Bawa Singh, of Bhakua Kalan ...	400
3	Haro, widow of Surain Singh, of Manpur ...	400
4	Allah Din, son of Rag-ud-Daulah Baksh, his uncle, of Ladhs-wala.	300
5	Bhago, wife of Bodi, of Bhojain ...	300
6	Budha Singh, father of Ujar Singh, of Manpur ...	300
7	Harnam Kaur, widow of Ujar Singh, of Dhand ...	300
8	Basant Kaur, widow of Partap Singh, of Dhand ...	300
9	Mussammat Gulali, mother of Kala Singh, deceased, of Chahbhal Manan.	300
10	Diali, father of Mangal Singh, deceased, of Chahbhal Kalan Berugi.	200
11	Mussammat Lachohmi, widow of Diya Singh, Jat, of Chak Sikandar, Tahsil Tarn Taran.	400
12	Mussammat Malan, widow of Natha Singh, Jat, of Jagatpura, Tahsil Tarn Taran.	250
13	Basula, son of Chandu, weaver, of Jhapal Kalan ...	200 Remitted by R. T. R. to Port Blair.
		4,050

*List of persons compensated on account of those killed at Jallianwala Bagh.*

## TAHSIL AJNALA.

Serial No.	Name, etc.	Amount paid to each dependant.
		Rs.
1	Basant Kaur, widow of Bar Singh, of Bhallapind ...	500
2	Musammamat Tej Kaur, widow of Thakur Singh, deceased, of Pathan Nangal.	300
3	Ishar Singh, father of Dial Singh, deceased, of Pathan Nangal	300
4	Nathu, father of Sundar Singh, of Khutra Kalan ...	300
5	Udham Singh, son of Dewa Singh, uncle of the minor of Bitewach	400
6	Chandu Mal, son of Subha Ram, Arora, of Raja Sanai ...	500
7	Musammamat Asskour, mother of Harnam Singh, deceased, of Adliwala.	400
	Total ...	2,700
	GRAND TOTAL ...	14,150

**MODEL MATCH FACTORY IN THE PROVINCE.**

298. **Rai Sahib Lala Panna Lal.**—Will the Government state whether it is possible for it to start a Model Match Factory in the Province or is it willing to encourage private enterprise in the matter, if so, on what terms?

**The Hon'ble Mr. Harkishan Lal.**—Mr. Gibson of the Indian Forest Service has lately been studying the question of match manufacture during his leave in Europe and his report and recommendations will shortly be laid before Government.

(b) While Government is ready to give all reasonable encouragement to private enterprise it is not possible to define the terms when no application for

assistance is before it, and no scheme has been submitted to it.

**TURPENTINE FACTORY AT JALLO.**

299. **Rai Sahib Lala Panna Lal.**—Will the Government be pleased to lease or sell the Turpentine Factory at Jallo to the public, in consonance with the principle that the Government should, as far as possible, eschew direct participation in business? If not, will the Government state the grounds justifying a departure from the above principle?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The answer is, No.

The Government Turpentine Factory at Jallo, and the Indian oloo-resin industry, generally, both in the Punjab and

the United Provinces, though crowned with a measure of success, has not yet emerged from the experimental stage in regard to (i) best manufacturing methods and standardization of products, and (ii) the best policy to be adopted in selling the products.

The industry has progressed in the face of considerable competition from America and in spite of the usual prejudice and opposition of the trade to anything new in the market. Very great attention has had to be paid to guarantee the purity of Indian rosin and turpentine, and the closer co-operation between the Forest Department of the Punjab and the United Provinces has been necessary and will be necessary to develop the industry. A Government monopoly for some years to come is inevitable if the industry is to be placed on an enduring basis. It would be premature to think of handing this industry over to private enterprise at present in view of the above facts. The facts also justify Government's policy in fostering this very specialised industry.

### REDUCTION IN PAY OF THE PROVINCIAL CIVIL SERVICE.

300. **Rai Sahib Lala Panna Lal.**—Does the Government contemplate any reduction in the recently fixed scale of annual increment in the pay of the Punjab Civil Service, if so, on what grounds and to what extent?

**Mr. C. M. King.**—No reduction is contemplated in the scale which has been sanctioned in favour of officers of the Provincial Civil Service at present in the service: but the question of making some reduction in the annual increments to be given under this scale to future recruits, with a view to securing closer conformity with the scales adopted in other Provinces, is under consideration and orders are about to issue.

### RESOLUTION REGARDING AMENSTY TO MARTIAL LAW CONVICTS.

**The Hon'ble the President.**—The Council will now proceed to consider the resolutions standing on the agenda.

**Mian Muhammad Shah Nawaz.**—I beg leave to move the following resolution:—

"That this Council recommends to the Government to extend amnesty to all Martial Law convicts of the Punjab who have not yet been released. But in case Government is not prepared to order release of all Martial Law prisoners, this Council recommends to Government to appoint a Committee consisting of a member of the Executive Council and three elected members, of whom two should be lawyers of at least 15 years' standing, to be nominated by the Government, with power to co-opt one member who is not on this Council but who is qualified to be a Judge of the High Court, to examine the records of all Martial Law convicts who are still in Jail and to make such recommendations for the remission or reduction of sentences in each case as the Committee may deem fit."

Sir, the Martial Law prisoners were tried either by Martial Law tribunals or summary courts. The trials conducted by these Martial Law Tribunals were invariably under the powers of Summary General Courts Martial, which are intended for the trials of persons who commit crimes on the actual field of battle. The Judges were not bound to keep any record at all except such necessary notes that they thought fit for their own use. The procedure followed in these cases was the procedure laid down in Chapter VIII of the Army Act with two important differences which were entirely detrimental to the interests of the accused. In the first place, under the provisions of the Army Act the accused person had the right of objecting to being tried by any officer sitting on

the Court; while in the case of Martial Law Tribunals the accused had no such right of challenge and could not take objection to any of the Judges who constituted the Bench. In the second place, in all trials held under the provisions of the Army Act an oath or affirmation is to be administered to every member of the Court Martial; while in the case of the Martial Law Tribunals no such safeguards were provided for. Sir, it is remarkable to note that the Judges who constituted the Martial Law Tribunals took judicial notice of the state of war in the Punjab, because of the proclamation that established Martial Law, whereas it was the obvious duty of the prosecution to show that there was open rebellion in the Punjab. Indeed the Judges did not give an opportunity to the accused persons to establish—if it was at all their duty to establish—that there was no open rebellion in this Province. This of course made a great difference, because accused persons, contrary to all principles of criminal law, were bound to prove their innocence by showing that their acts did not amount to waging of war against the Sovereign. Sir, was there an open rebellion in the Punjab? The answer is in the negative. The theory of an open rebellion—of a state of war—had absolutely broken down before the Hunter Committee, and it was repudiated by all the Indian members who had officially to deal with the matter.

Sir, the trial of these accused persons was quite unsatisfactory. The alleged offenders were given no opportunity to engage the services of lawyers of any eminence. It is no exaggeration to say that they received no legal help. The leading lawyers having taken some part or other in politics were afraid of defending the accused persons, because they thought they would run the risk of being run in. The general belief was that the Government looked upon counsel who took up the cases of revolutionaries and the conspirators with suspicion. I can speak from my own knowledge that lawyers of high order and ability refused to take up the cases of the accused

persons, although they were offered big fees. And the lawyers from other provinces were prohibited from entering the Martial Law areas to defend the so-called rebels. It is true that some junior lawyers were engaged to defend the accused persons, but they had no proper opportunity—in fact they were given only a very few minutes—to consult their own clients, in order to meet such serious charges against the prisoners as waging war, arson, cutting of communications, and so on.

Then, Sir, I beg leave to submit that no fair or reasonable opportunity was given for cross-examination, and counsel were asked to limit their examination to certain questions. The record of each case was quite meagre and incomplete and altogether repeated requests were made by the Council to cross-examine the witnesses fully, their request was refused. The reply being that the Judges were sitting on a Summary General Court Martial, and they were not bound to keep any record at all except such notes as they thought necessary for their own use. Furthermore, the accused were given no good opportunity to produce evidence for the defence. Sir, I beg leave to point out that in those terrible days it was not at all easy to produce evidence for the defence, because every one seemed to have been panic-stricken and did not wish to incur the wrath of the authorities by deposing in favour of the so-called rebels. Towards the close of the case, I beg to submit very little argument was allowed, and, as a matter of fact, a time-limit was fixed. I beg to submit that if the Hon'ble Judges had taken up the cases of the accused persons in cooler and more normal times, I have no doubt that they would have come to a different conclusion.

Sir, it is thus perfectly clear that the trial of the Martial Law prisoners took place during the days when the ordinary procedure was suspended and when there was a general panic, when it was very difficult for honest men to come forward and tender their evidence in open Court.



Sir, in these circumstances it is very difficult to say that the guilt of the accused persons was proved beyond all reasonable doubt.

Sir, it may be said on behalf of the Government that two Hon'ble Judges, namely, Sir Basanta Kumar Mullick and the Hon'ble Mr. Justice Chevis went into the record of the cases of Martial Law prisoners and made either no remarks whatever as regards the prisoners now concerned or held the charges proved against them. Sir, the public knows nothing about the report made by the two Hon'ble Judges. This Council may remember that only a few days ago I asked a question and requested the Government to lay the report on the table, but my request was refused on the ground that the report was confidential and could not be published without the consent of the Government of India. I gave notice of this question nearly 15 days before it was actually answered. Did the Government take the permission of the Government of India for its publication? The answer is, No. I beg to submit that the refusal to lay the report on the table was absolutely unjustifiable and perhaps unconstitutional. The public is absolutely in the dark as regards the report and I do not know what report they have made; but the question still remains, did the Judges admit additional evidence? Were they empowered to order a new trial? No, the record before them was absolutely incomplete and meagre and really they could not come to any decision. Sir, I venture to submit that if the two Hon'ble Judges, namely, Sir B. K. Mullick and Mr. Justice Chevis, were to hold a *de novo* trial of the prisoners now concerned, I have not the least doubt that they would see their way to acquit them.

Then, Sir, it is said that none of the prisoners now in jail were convicted because of their aspiration for *Swaraj*. Sir, I beg to point out that this is a distinction without a difference. Did Government ever admit that those who were released in pursuance of the Royal Proclamation of a general amnesty aimed at

*Swaraj*, while the others were guilty of isolated acts of murder and arson? Were they not all treated as rebels? The case for the Crown proceeded against all on common ground. According to the theory of the prosecution, the real conspirators and the leaders of the rebels were those who were subsequently released and the prisoners now concerned were tools in the hands of the leaders and were thus led to commit serious crime. How can we then differentiate when the time of release comes? Was not this a political movement started by the leaders of Amritsar and Lahore? Was not the mob violence committed at Amritsar because the leaders, Doctors Kitchlew and Saigopal, were interned, and because of the firing that took place near the bridge? Was it not fact that the leaders at Lahore were prosecuted because of this movement? The fact is this, Sir, that these unfortunate persons have no following and thus they have been so far unsuccessful in getting orders for their release. The proverb in Punjabi sums up the case of the prisoners now concerned, and runs thus:—

"Elephant has been allowed to pass but the tail is still held."

These unfortunate prisoners, who are small fry, were imprisoned; but the leaders, who, according to the theory of the Government were rebels, were the leaders of this political movement, have all been released.

Sir, I beg to submit that Martial Law prisoners have already suffered sufficiently long, and the release of these unfortunate persons would not be incompatible with the public safety, as they are not habitual offenders. A large number of the convicts who were found by the Martial Law Tribunals to have committed the murders of the innocent Europeans were hanged. They have all passed into eternity. The public still believe that some of them were innocent. The families of the Europeans, who were so cruelly murdered at the hands of the ruffians, have been amply compensated. It is further to be remembered that so far no resolution has been

passed in this Council or in the Legislative Assembly for the punishment of the offending officials, particularly General Dyer, who committed a calculated act of inhumanity, which staggered the civilization. We are ready to forgive and forget their cruel misdeeds, but is it not incumbent on the part of Government to release all Martial Law prisoners? Sir, in conclusion I desire to submit that if the Government is really anxious to follow the policy of forgiveness and forgetfulness, of reasonable give-and-take and of mutual good-will and co-operation, it should rise to the demand of the situation and release all Martial Law prisoners and thus remove one of the most painful sores in the Punjab tragedy that remains still unhealed. Sir, in any case I earnestly appeal to His Excellency the Governor in Council to appoint a Committee in terms suggested by me in this Resolution.

**Khan Bahadur Raja Muhammad Akbar Khan** spoke in Urdu and said.—With regard to the resolution moved by my esteemed friend, Mian Muhammad Shah Nawaz, I wish to say that since the termination of Martial Law  *régime* , to our good fortune, God has given us a Governor who is a paragon of forbearance and justice. In my opinion we shall never get a better Governor than he. He has wrought a complete change in the atmosphere. In the first place, the Martial Law Tribunal had on it a High Court Judge or a Sessions Judge. Secondly, the decisions of these Tribunals were reviewed by a Judge of the calibre and acumen of Mr. Justice Chevis. Thereafter, so far as I am aware, the file of each individual prisoner came up before Government. After that, the present Government granted remissions and ordered releases with the greatest liberality. Government has now to maintain its prestige also. To re-open the matter after this is to rake up the wounds which are healing. As such a course is calculated to engender bitterness I am opposed to the resolution. We should profit by the farewell speech of His Royal Highness the Duke of Connaught.

**Diwan Bahadur Raja Narendra Nath**, who spoke in Urdu, supported the resolution of Mian Shah Nawaz. The Council was the representative of the people, and he had no hesitation in saying that the resolution was exactly what the people desired. They did not support crime or the offenders. But the people had no confidence in the inquiries held by the Martial Law Courts. It was true that His Excellency Sir Edward Maclagan had exercised great clemency in regard to these cases, but now the state of affairs was quite different. The public had a right to demand an explanation for everything. The first part of the resolution asked for the release of all prisoners, and the second a Committee to go into the whole question. He thought this would meet the situation.

**Rai Sahib Chaudhri Raja Singh**, spoke in Urdu and said.—Sir, in supporting the resolution moved by my Hon'ble friend Mian Muhammad Shah Nawaz, I beg to point out that during the Martial Law days many of the accused were let off in the course of the investigation, and the rest were awarded heavy punishments by the Martial Law Tribunals especially constituted for the occasion. I cannot say that all the people who had then been convicted were innocent, but nothing can prevent me from saying that most of them were awarded punishments out of all proportion to their offences. The inhabitants of the Punjab have always felt dissatisfied with the sentences passed by the Martial Law Tribunals, and they have been, from time to time, asking the Government to release the Martial Law prisoners. The unanimous voice of the people resulted in the release of many of the Martial Law prisoners, but there are still a number of unfortunate people who are undergoing imprisonment, and who have not been given the benefit of the Royal amnesty. Now that the new era has been ushered in, it is to be hoped that the Government will, in a spirit of generosity, release all these unfortunate people who have already suffered a lot.

**Rai Bahadur Sewak Ram**, who spoke in Urdu, supported the resolution and said

that all the legal points had been covered in the speech of Mr. Shah Nawaz. The trials carried on during the Martial Law régime were very summary, and the people had no confidence in them. The simple object of the resolution was (1) to ask for the release of all Martial Law prisoners, and (2) failing that for a Committee to examine the records of all Martial Law convicts still in jail.

**Pandit Daulat Ram, Kalla.**—Sir, I have heard with great interest the learned speech that was made by Mian Muhammad Shah Nawaz. But I think some time last week there was a discussion in the Legislative Assembly at Delhi on a similar question, and this issue, I think, was finally decided by Sir William Vincent that all those who were convicted of any political offences were let off, and only those were detained in prisons who were guilty of those heinous offences, which are heinous offences all over the world against civilized society, all those who were actuated by any political motives, or who committed any political crimes, have been let off. There are only 86 prisoners in jail, and they are guilty of those crimes which are very grave indeed. Therefore, Sir, at this stage to ask for an amnesty for those prisoners—an amnesty is a very good thing and it is no doubt very good to be merciful—but the frequent use of an amnesty is a very dangerous practice. People commit offences now, not because they like to commit them, but because they hope that after committing them they will be let off under an amnesty. There are men like Mr. Gandhi, who believe in theory that they are acting according to their conscience, but there are other persons who indulge in similar crimes not because they believe in the principle involved, but because they hope after going to jail to be released. The whole point, therefore, is whether we should approach Government for another amnesty releasing the persons who have committed these crimes.

My friend has said, Sir, that in the days of Martial Law the accused persons before the Tribunals had not sufficient

legal assistance at their disposal. I think, Sir, his remarks are not very complimentary to the senior members of the Lahore Bar, inasmuch as only juniors were coming forward to take up the cases. These cases have been overhauled again and again by the highest judicial officers in the Punjab and elsewhere, and it is after the decisions of those gentlemen that the Government have retained these prisoners in jail up till now.

My learned friend has also referred to an European gentleman getting some compensation. I will only say, Sir, that it is very unfortunate that whenever there is any question before the Council like this, it is sought to fight it on racial grounds. So far as possible we should try to avoid fighting over any question on racial grounds, because one of our wishes is to promote cordial relations between Europeans and Indians. Then, Sir, before sitting down I would like to place before this Council the instances of the Countess Marekivitz, a Russian lady who has been working in Ireland. She has been convicted five times, once sentenced to death and again to transportation for life. But she has been let off again and again and she is going on committing the same offences. Taking into consideration the present state of the Punjab, it is not advisable in my opinion to let off these remaining prisoners who will come out of jail and make matters worse.

**Mr. Ganpat Raj.**—I have heard the lengthy arguments of the mover of this resolution and I endorse every word of them. In my opinion he has very laudably put the case on behalf of the Martial Law prisoners, and much stronger things could be said in this Council to show that the courts which tried them were nominal courts—not to use any stronger language—though those Courts were presided over by Hon'ble Judges of the then Chief Court. As to the remark of my friend Raja Akbar Khan that for the sake of the prestige of the Government those prisoners should not be released, I may tell the Council that in my

opinion unless justice is done to those Martial Law prisoners, or some sort of clemency is shown to those who may be guilty, the prestige of the Government will deteriorate. If the Government wishes to restore its former prestige and to gain the confidence of the public, it ought to accept this resolution.

Mr. Daulat Ram, Kalia, has remarked that as the Legislative Assembly have discussed this question, it ought not to be taken up here. But the members of the Legislative Assembly, with the exception of one or two Punjabi members, are not in possession of the full facts of the happenings in the Punjab in the unfortunate year 1919. I am sure if they had been, notwithstanding the remarks of Sir William Vincent, they would have come to the opposite conclusion.

Again it has been said that some people like to go to jail because they expect to be left off. May I ask if the prisoners now in jail, the number of whom is 86, are of that class who invite incarceration in jail, or are they not rather the victims of a conspiracy or the victims of the terror prevailing at that time, when the courts were not free from the prejudicial atmosphere then existing. The first class of persons have all been released, and it is the second unfortunate class who are suffering. I say that in order to restore faith in British justice, which is the foundation stone of the British Raj in this country,—and it is an open secret that confidence in British justice has been very considerably shaken—it is very necessary to do something to restore that confidence. Otherwise I am afraid it will not be restored for a very long time.

With these remarks I support the resolution and ask the Council to accept it.

Lala Uttam Chand, who spoke in Urdu, supported the resolution and said that all Martial Law convicts now in jail should be released. It would tend to conciliate the people.

Rai Sahib Lala Thakur Dass (spoke in Urdu).—I support this resolution and in doing so, Sir, I shall touch only on one or two points. In the history of the Punjab the period of Martial Law is a dark period. Fortunately we have now got a very good and honest Governor, who tries his best to heal the Martial Law wounds. But the wound was very deep and it could not be completely healed. Agitation is going on in the whole Province against it and Government should come forward to calm this excited atmosphere by releasing all the remaining Martial Law prisoners. I do not wish to interfere with the working of the administration, but I wish to bring to the notice of the Government that it is the earnest wish of the inhabitants of all the North-West towns, whom I have the privilege to represent, that all the remaining Martial Law prisoners shall be released.

Maulvi Muharram Ali, Chishti (spoke in Urdu).—Sir, I have heard all the speeches very carefully, and I think that some of the speakers were asking too much. I think that Mian Muhammad Shah Nawaz has done a great service to this Government in bringing up this carefully-worded resolution and the Government should welcome it. What Mian Muhammad Shah Nawaz means is that the public have no faith in the Committee formerly appointed by Government to go into the files of the Martial Law prisoners. The Committee proposed by Mian Muhammad Shah Nawaz would also examine the records and would recommend the release of the persons who were innocent. No sane person would recommend the release of guilty persons. I think that Government might have already decided the attitude that it should take with regard to this resolution, but my faithfulness compels me to request the Government to welcome this resolution. As to the personnel of the proposed Committee I beg to say that Government have already got two Hon'ble Ministers, who are qualified to be Judges of the High Court, and who have the confidence both of the Government and the public. It would not be difficult for Government to nominate a Judge of the High Court

about whose honesty nobody could doubt. One remaining member of the proposed Committee can very easily be appointed by His Excellency the Governor from among the Members of this Council. If the above Committee declares anyone guilty, no one would doubt their decision. Some of the Members have said that the wounds will be healed in course of time. I cannot agree with them. The wound on the public mind can never be healed until the innocent persons are released from jail, and Government must take some steps to show that only the guilty persons are in jail.

Khan Sahib Chaudhri Fazl Ali, speaking in Urdu, said that it had been argued that Martial Law Courts were not properly constituted, but he could say that the Courts were lawful as they were created by Government. It was the duty of those Courts to give the benefit of the doubt to the prisoners, and not that the Council should take up the question of releasing them. He further said that Martial Law Courts released the persons about whose guilt they were doubtful, and many men were released even after the Police enquiry. He then went on to say that there were two kinds of prisoners, political prisoners and those who committed offences of murder and looting. The first kind of prisoners, the political prisoners, had already been released, and it would not be compatible with the public safety to release those prisoners who had committed murder and thefts. It had been admitted by all that His Excellency the Governor was a very kind-hearted gentleman, and since he had rejected the applications for mercy of the men in prison, it was not fit for the Council to recommend their release.

Government should act steadily. When it had once decided that a person was guilty, it should on no account be induced to release him. A new Committee was being asked for to examine the cases of the Martial Law convicts who had not yet been released. He would ask whether this meant that the previous reviewing

judges were not capable. Government should always act steadily and with justice. Fickleness on the part of Government created a very bad impression on the people. Whenever anyone was convicted it was thought he was being sentenced for a short time. This impression should not be allowed to take root. It was said that the public wanted amnesty. He would ask whether "public" meant those who agitated.

He opposed the resolution of Mian Muhammad Shah Nawaz.

Malik Firoz Khan.—Sir, I would like to divide Mian Muhammad Shah Nawaz's resolution into two parts. The first part is that this Council recommends to the Government to extend amnesty to all Martial Law convicts of the Punjab who have not yet been released. I am sorry to say, Sir, that I am unable to agree with this part of the resolution. We in this Council, Sir, in all our actions ought to be moved by two kinds of feelings. First, the feeling of our duty to preserve law and order in the country, and secondly, our duty to preserve the rights, liberties of persons, and property of the public. I wish to submit that under the circumstances, without knowing as to what is the number of the criminals still in jail, what were the offences they committed and whether they were guilty or not, to pass a judgment in this Council would be most unwise and injudicious, because we shall be making a precedent for the future that the decisions of Law Courts can be overruled by the legislature, which, I think, is not our duty. So I wish to point out to the Council, Sir, that to agree with the first part of the resolution would be most unwise, and not only unwise but dangerous. First of all I would like to appeal to the Hon'ble Mover himself to withdraw this part of the resolution, and if he does not consent, I would then appeal through you, Sir, to this Council—that the first part of this resolution should be rejected.



Now, Sir, I come to the second part of this resolution, and on that portion, Sir, I would like to divide my remarks into two parts. First, the question of expediency. There is no doubt, Sir, that during the Martial Law days the officers as well as the public were raised to such a pitch of feeling that it is probable that their anger might have imperceptibly crept into their judicial decisions, and it is probable that in some cases they passed judgments which in saner moments they would not have passed. But, on the other hand, these judgments were revised and many people were let off, but I must admit that still there is a very great feeling in the country of discontent and dissatisfaction on the judgments passed by the Martial Law Courts, and it cannot be overlooked that the prisoners that were tried by the Martial Law Courts were not given the best legal advice that they could have got under the ordinary circumstances. For instance, I would like to point out that Mr. Eardley Norton, the greatest lawyer in India, who was coming to this Province, was stopped from coming here. Other such instances might have occurred. Moreover, Sir, the officers that were appointed to revise the judgments of the Martial Law Courts were appointed at a time when there was still a ferment in the country and also in the minds of the officials. Now, Sir, we have in this Province an era of Reforms. We have in this Province men in power, who, I am glad to say, have the fullest confidence of the public, because they have proved by all their actions from the beginning up till now that they are doing their best to meet the wishes of the public. I do not say this in any spirit of compliment, because compliments merely for the sake of compliments I consider a vice. I consider, Sir, that public duty demands that I should lay before this Council that if anything is done by the present administration in order to revise the judgments of those Martial Law Courts, that would certainly meet the wishes of the public

and would satisfy the whole country for ever. I say, Sir, that it would be expedient on behalf of the Government if they will appoint a Commission which I certainly think will give satisfaction to the public.

Now I come to the other part of this portion of the resolution, and that is this, Sir, I think it is not very easy to move a resolution of this nature because it involves very big issues, as it is intended to criticise the proceedings of a large number of courts, and it is also intended to revise their judgments. I should have liked the Mover to have brought forward some more facts in connection with these Martial Law Courts, as to how many prisoners were still in jail and as to the nature of their offences. This might have helped the Council to come to a decision.

The Hon'ble Sir John Maynard.— May I rise to give an explanation. A list of those still in jail, with a statement of the offences for which they are there, was laid on the table some time back in answer to a question by a member of this Council.

Malik Firoz Khan, continuing.—In that case probably I have forgotten about it, and probably other members have also. But when we are on the point of deciding an important issue, I think Sir, it ought to have been brought to our notice at the very beginning. I think, Sir, the best way of soliciting the assistance of this Council would have been for the Mover to have brought forward the instances of men who are absolutely innocent and have been kept in jail. On the other hand, Sir, the Mover has only dealt in generalizations, which have been always floating about in the country to the effect that the Martial Law Courts dealt very harshly and severely and that all their judgments ought to be revised. There may be some cases in which the convicts now in jail are innocent, but the Mover would have helped us in arriving at certain conclusions by quoting some instances.



Another thing which I wish to point out to the Council is this that there must be a finality to the judicial decisions of the Courts of the Province. If the legislature is going to interfere with any sort of judgment passed by judicial courts of this Province, I think, Sir, there can be no peace, contentment, or satisfaction in the minds of the people. As far as I can judge from what I have heard on this resolution, I am sorry to say that the facts that he has stated do not justify my agreeing with him in overruling the decisions of the Martial Law Courts and appointing a new Commission, and still carrying on a thing which has been considered as one of the past. For the first portion of this resolution I wish to associate myself with the feelings expressed by my friend Maulvi Mahabram Ali, Chishti, and that is this that the first portion of this resolution should be either withdrawn or rejected; secondly, that it may be expedient for the Government in order to satisfy the minds of the public to appoint a Commission, that is for them to do; but as far as the case has been put before us, I do not think that there has been any proof in judicial reasons for our interfering with the decisions of the Martial Law Courts. Unless the Mover can satisfy us in his reply I would request the Council not to agree with him till we are satisfied that it is imperative for a legislature to interfere with the judicial decisions.

Mr. K. L. Kalia Ram.—Sir, I move that the question be now put.

The Hon'ble the President.—This resolution falls into three parts—(1) that this Council recommends to the Government to extend amnesty to all Martial Law convicts of the Punjab who have not yet been released; (2) that this Council recommends to the Government to appoint a Committee to examine the records of all Martial Law convicts who are still in jail, and to make such recommendations for the remission or reduction of sentences in each case as the Committee may deem fit;

and (3) the portion referring to the constitution of the Committee. I am prepared to accept the closure, subject to the rights of reply, on the first and the second portion, but not on the portion with regard to the constitution of the Committee, which has not yet been discussed, and to which an amendment is pending. I propose, therefore, to put to the Council the proposal that the question be now put as to the first and second portions. If that is carried, the Mover and the Hon'ble Sir John Maynard will reply on those portions, and a vote will be taken, and then the question of the constitution of the Committee will be taken up, and Rai Bahadur Lala Sewak Ram will have an opportunity of moving his amendment.

The motion before the Council is that the question with regard to the first two portions be put, namely, that Martial Law convicts be released, and that a Committee be appointed to go into their cases.

The motion was put and carried.

The Hon'ble the President.—Mian Muhammed Shah Nawaz, do you wish to reply?

Mian Muhammed Shah Nawaz spoke in Urdu.—There appears to be some misunderstanding about my resolution. I said that in Martial Law Courts witnesses were not fully cross-examined, and full facilities were not given to the accused persons. For these reasons amnesty should be extended to Martial Law convicts. But if Government is not prepared to order release of all Martial Law prisoners, then it should appoint a Committee. Both these points are interconnected. If Government is not prepared to extend amnesty to these convicts at the request of the public, it should act according to the report of the proposed Committee.

Pandit Daulat Ram, Kalia, pointed out that the question had already been discussed in the Legislative Assembly. I should like to tell him that there the

resolution was not lost, but was withdrawn. Had it been passed in the Legislative Assembly it would ultimately have come to His Excellency the Governor of the Punjab for necessary action. It was withdrawn merely on the understanding that I was going to put a similar resolution here. As to Mr. Kalia's criticism that two Hon'ble Judges have already examined the records of these convicts I would like to say that, first, those records are quite incomplete; and, secondly, the report of those Hon'ble Judges has been kept confidential. This Council recommends, according to my resolution, to His Excellency the Governor to appoint a Committee, and to release the convicts who are recommended by that Committee and to extend amnesty to the rest of the convicts whom that Committee does not recommend that they should be released. At present there are 86 men in prison who were convicted by Martial Law Courts. The personnel of the proposed Committee should be impartial and they should make their recommendations after going into the legal and political aspect of the cases. The Committee should also see what is the public demand.

Mr. Kalia said that in Ireland Government was taking the same steps which were taken in the Punjab. It was not fit for Mr. Kalia to make a reference to Ireland. In Ireland, too, Government was trying to comply with the wishes of the public, and if the Government of the Punjab would release 83 prisoners, they would be healing the wounds on public minds. The Martial Law Courts' procedure was not that of Criminal Procedure Code, but the trials were held under the procedure of the Army Act. The Army Act is only applicable to rebels, but there was no rebellion in the Punjab. I heard with great pain the speech made by Khan Sahib Chaudhri Fazl Ali, specially when he said that political prisoners should not have been released....

Khan Sahib Chaudhri Fazl Ali.—I did not say that.

Mian Muhammad Shah Nawaz.—You said that.

The Hon'ble the President (to Mian Muhammad Shah Nawaz).—You must address the Chair.

Mian Muhammad Shah Nawaz continued in Urdu.—Sir, Chaudhri Fazl Ali said that dacoits should not be released. I may be permitted to say that the Martial Law Courts, who convicted them, were not legally constituted, and their judgments have not been upheld, inasmuch as the Hon'ble Lala Harkishan Lal, Mr. Duni Chand, Dr. Saif-ud-din Kitchlew, Dr. Satya Pal and others whom these Courts held to be conspirators against Government have all been released.

As to Chaudhri Fazl Ali's remarks that the public abuses respectable gentlemen, I may say that the public pays due respect to all respectable gentlemen, but it is just possible that the public might have abused those who stood to undue flattery.

I, as a public man, say that the proceedings of Martial Law Courts were not correct.

Malik Firoz Khan has himself admitted that in Martial Law days the proceedings were not impartial.

The junior pleaders engaged for the prisoners were not of much use.

Mr. Kalia remarked that the Lahore Pleaders did not do their duty, but I dare say that had Mr. Kalia been here in those days of general panic, he would not himself have done better. Now when the atmosphere is calm and quiet it would be in the fitness of things to release the remaining Martial Law prisoners.

The Hon'ble Sir John Maynard.—Sir, it is not an easy matter to disentangle the history of all these cases, and I feel a certain amount of sympathy with those who were not able to get at all the facts. At the same time, I think perhaps some of them might have used some opportunities which they had for the purpose. For instance, it should

have been perfectly possible for everybody to read the statement which was laid on the table sometime ago, which shows that the number of Martial Law prisoners still in jail amounts to 86 out of an original total of 1,779, i.e., measures had already been taken to scrutinize these cases and to release all those in regard to whose guilt there was any reason for doubt and in regard to whom it was considered that they might possibly come under the category of political offenders. Of the 1,779, only 86 have not been released, i.e., those who still remain in jail are something less than 5 per cent of the original total. I think some of my friends may have been able to satisfy themselves by the paper which was laid on the table of which I have already spoken that it is not correct to say that these men who are still in jail are small men. Still less it is correct to say that their offences were nominal offences, as one of my friends has said. The offences of the 86 men, who were found guilty, were murder, dacoity, derailing of trains and the burning of buildings. Those are the offences which one of my friends in this Council declared to be nominal offences.

It has been said that all the leaders have been released. That, Sir, is a mistake. In certain cases owing to the character and circumstances of these cases all who were accused have been released, but it is incorrect to say that none of those still in jail are leaders. It is incorrect to say that leaders were released and small men have been kept behind.

I now proceed, Sir, to discuss what I think to be the fundamental proposition of those who spoke in support of the resolution. They say, as I understand, that there has been no satisfactory inquiry. Well, Sir, the inquiry was made in the first place by two classes of Courts. One of these was the Court known as the Martial Law Tribunal in which there was always present at least one judicial officer of the standing of a

Sessions Judge. That is one kind of Courts. The other type of Courts of which I gather none of my friends has any recollection was the Tribunal under the Defence of India Act—a different thing from the Martial Law Commission. It is a tribunal in which a Judge of the High Court or an Officer qualified for the position of a Judge of the High Court always presides. It is rather important to note that there were two classes of tribunals, because some of the disparaging remarks which have been made in regard to the Martial Law Commissions were obviously not applicable to the tribunals under the Defence of India Act. The Hunter Committee made some remarks about the Tribunals under the Defence of India Act. The Committee said—

“The substitution of these tribunals (for the Martial Law Commissions) ensured that cases would be tried more in consonance with the rules prevailing in Civil Courts than would otherwise have been the case ..... The trials seem to have been correctly described to us as lengthy, detailed and careful.”

Now, I ask the members to take note of the fact that there was this class of tribunal under the Defence of India Act, and their work was considered by the Hunter Committee to be different to that of the Martial Law Commission. This is one of the points that has so far escaped the notice of the critics of Government.

Now, let me note another fact on which none of the critics of Government has laid any stress or has even referred. In 24 cases—typical cases—there were appeals to the Privy Council. Now, of course, I have heard from various Members the suggestion that a certain spirit was prevailing in the Province at the time the inquiries were being made which made it difficult for officers to arrive at a perfectly impartial decision.

Mian Muhammad Shah Niwas.—I have not been given an opportunity to

reply to the arguments now propounded by the learned Member.

**The Hon'ble the President.**—The Hon'ble Member is exercising his right to speak on the whole case.

**The Hon'ble Sir John Maynard.**—Sir, I confine myself to stating facts, and I presume the members are in a position to know it would be impossible for me to deal with the subject without relating all the facts before this Council. It is suggested that the atmosphere which prevailed in the Province affected the judgments of the Judges, but is it suggested that that atmosphere affected the august deliberations of the Privy Council. If not, what is the value of the argument on which is based this contention that no proper inquiry was held.

Now, Sir, another matter has not been entirely ignored by the speakers but hardly any stress has been laid upon it, and it deserves in my opinion to receive a greater consideration, that all the sentences were revised by His Excellency the Governor. They were revised not only once, but all of them at least twice; once during the summer of 1919 and later on after the Proclamation of His Gracious Majesty announcing His Royal Clemency to political offenders to such extent as was compatible with public safety. All the decisions were reviewed at least twice. Some of them have been reviewed by His Excellency the Governor more than twice, and in the course of his revision, His Excellency reduced all the sentences by an aggregate which amounted to 5,000 years of imprisonment. The total reduction amounted to over 5,000 years of imprisonment, and the punishments of all whose sentences stood at less than four years were remitted. If the members will now avail themselves of the opportunity which they have hitherto neglected and will examine a list which was laid on the table of this Council, they will find that there is no man in jail whose sentence is less than four years' rigorous imprisonment. All the small men who are supposed—wrongly supposed—to have been left in

jail have already been released. Now, Sir, not only has His Excellency made successive revisions of all the sentences, but two reviewing Judges, one of whom was an Indian Judge from another Province, were appointed in September 1919, to review the sentences of Martial Law Tribunals. They were not appointed to review the sentences passed by the tribunals under the Defence of India Act for reasons which I hope I have already made clear, and they were not appointed, for very obvious reasons, to review cases in which appeals were pending with the Privy Council. It would have been clearly impossible, as it remains impossible still, for anybody of less august status than the Privy Council to attempt to review the decision of that body. As I have said there were 1,779 persons originally in jail. Eighty-six of them remain there still. All the rest have been released. Twenty-four cases in which the principle involved was legal were decided by the Privy Council. Mr. Shah Nawaz has put some legal points before the Council, as if no one had hitherto considered the legality or propriety of the proceedings of the tribunals. But I draw the attention of the Council to this fact that all those arguments have already received the consideration of the highest legal authority in the Empire.

Now, Sir, it is a very painful thing to refer to these incidents of 1919. I should greatly prefer to leave them entirely in oblivion, but, Sir, the members have said that these were merely "nominal faults." I took down the words. How can I show to this Council that such a description of them is erroneous, if I do not refer at all events briefly to the terrible events of 1919. It has been made impossible for me by the misrepresentation of facts to which I have listened, I must, therefore, read to the Council the words in which the Hunter Committee describes some of the incidents at Amritsar:—

"At the National Bank, Mr. Stuart, the Manager, and Mr. Scott, the Assistant Manager, were brutally beaten to death by the mob; their bodies were burnt

in a pile of bank furniture in the middle of the bank building and the building itself was sacked, set on fire, and completely gutted. The godown, in the rear, in which large quantities of piece-goods were kept were broken into and thrown open for looting.

"The Alliance Bank was attacked; the Manager, Mr. G. M. Thomson, who attempted to defend himself with a revolver was cruelly murdered and flung from the balcony on to the street: his body was burnt in the street under a pile of bank furniture.....

"The goods-ward was stormed, damaged and looted, and Guard Robinson of the North-Western Railway, who was going towards the foot bridge in the course of his work, was chased and brutally beaten to death.....

"Sergeant Rowlands, Electrician to the Military Works, had gone into the city and was endeavouring to make his way back to the Fort, when he was attacked near the Rego Bridge and murdered. His skull was battered in—apparently by a straining screw.

\* \* \* \* \*

"Looting, at least at the godowns of the National Bank proceeded late into the evening....."

Now, Sir, as regards the facts of the National Bank murder case, which I have just briefly read to this Council, the reviewing Judges dealing with the cases arising out of that cruel murder said—I may perhaps point out to this Council that these reviewing Judges were Judges acting under a full responsibility, with a long experience of judicial methods, one of whom was an Indian who came from another Province where the feelings which had been aroused in this Province were at all events less active than they were here—those two reviewing Judges said:—"We have examined the whole case carefully and are of opinion that the evidence is sufficient to warrant the conviction in the case of all the convicts except one;" (whom they named) not one man has been released.

Those whom they thought to be guilty remained in jail; the one who they thought not to be guilty has been released. Is there not evidence there that these Judges carefully considered the facts, since they were able to discriminate between the case of one convict and another—to make a discrimination which those who have supported this motion apparently are unwilling to make. In the other case of the Amritsar National Bank murder, the sentences which still stand are all the heavier sentences, and the lesser sentences have been remitted and the prisoners released.

Now let me turn to that other murder case at Amritsar in regard to which I read an extract to this Council. I told you what the reviewing Judges said about that. They said: "We have considered the case carefully and our opinion is that the evidence warrants the conviction of those who have been convicted." As to the murder of Guard Robinson, that innocent man proceeding to his work in ignorance of the cruel passions which had been set loose upon the city of Amritsar, only one man was ultimately convicted, and as regards that one man the reviewing Judges said they considered the case to be fully established. They said, "We are satisfied that there is ample proof that this man took part in beating Guard Robinson to death." Are there cases to be described as political offences? Is the pity of this Council to be invoked on behalf of men who committed these ruthless and brutal murders and whose guilt has been confirmed by the decision of the reviewing Judges, one of whom was an Indian Judge of a different Province?

Now, Sir, I must refer to yet another case in order to prove to my friends here that they are mistaken in calling these offences nominal offences. In the Kasur case a mob, excited by speeches addressed to them on that and the previous day, invaded and wrecked the railway station; attacked an incoming train; murdered two warrant officers; assaulted an Indian, two officers and a Corporal; assaulted a

railway servant and his wife, who took refuge in a signalman's hut and were only saved from worse treatment by the intervention of an Indian official—one of those bright instances of help received from Indians which I am happy to say relieved the darkness of the situation; they burnt the Post Office; they burnt the Munsif's Court and they attacked the Tahsil. The persons who did these things were shown to have done specific acts; they burnt and destroyed buildings; they burst open the door of the hut where the railway servant and his wife were hiding in the vain attempt to escape from the cruel pursuit; they wrecked the railway station and assaulted passengers. Are these political offences? Are these nominal faults, as has been suggested by some of the speakers who defended this motion?

Then Sir, let me take yet another case, not the only one of this type—that of the Ghumanpur railway derailment. I could not catch the precise words of Mian Muhammad Shah Nawaz on the subject of the railway derailment, but, unless I am very much mistaken, he treated the derailment of a train by the removal of rails as something which was of a very minor description. Now, I ask the members of this Council to picture to themselves what happens when a long length of rail is removed and there approaches it a train containing hundreds of innocent men—99 per cent of whom are Indians—hundreds of innocent people, women and children. The train approaches the broken track possibly at night; the rails are gone; there is no warning; the train reaches the point at which the rails are removed; it is hurled from the line, and tens or dozens or more lives are sacrificed in consequence of this cruel and reckless act. Is that the type of case which my friends in this Council would describe as political offences? Or is that a nominal fault? Let members of this Council imagine that terrible incident as happening to themselves and their families, and let them then tell me whether that is one of the nominal faults.

It is impossible, Sir—and I do not wish to do it—to enter into the details of all these terrible cases. But all the persons still in jail are shown in a paper which lies on that table as guilty of the most serious offences of murder, or arson, or dacoity and the wrecking of railway trains. One or two I might mention further. Here is one case, a case in which the persons concerned attacked a man and a child in a first class compartment. The next is one in which the mob smashed the level crossing, smashed the gates, looted the station and set fire to it. Another attempt was made at Chubarkana to breach the railway line. They set fire to a bridge on the railway, and they did so to produce precisely that type of catastrophe which I have already invited this Council to picture to themselves. Then there was an attempt to murder Mr. Webb. In that case the accused is still in jail. Then there was a case in Amritsar where the Municipal Zenana Hospital occupied by a lady who had given a considerable part of her life to work in this country, was attacked. That was done with a view to murder that lady. But, Sir, I will not dwell any longer upon these painful records. I am certain that members of this Council who have used words which they have used in regard to these cases were not aware of the facts. I believe that it was only in ignorance that anybody could have told this Council that these offences were merely nominal faults.

Now, Sir, the general release of these remaining prisoners who have been guilty of these cruel offences would be unsafe at any time, but it is particularly unsafe now when the Province is filled with a spirit which prefers to ignore methods provided by the law of the land and to seek to attain its aspirations and its desires by methods which could only be tolerated if anarchy had replaced stable Government.

There remains another part of this proposal, namely, that a Committee should be appointed to examine all the records and make recommendations for remission or reduction of sentences. Now, Sir, I



venture to say that this proposal was put forward either without full knowledge of the facts or without fully realizing the effect of the measures which have already been taken.

Do those who suggest such a revision realize that a proportion of these cases have already been before the Privy Council, the highest judicial authority, and is it suggested that somebody, including either a High Court Judge or a member of the Executive Council, should venture to review cases in which the accused have been found guilty by such an august tribunal? Or is it suggested...

Mian Muhammad Shah Nawaz.—I protest against that argument because the Privy Council did not decide the cases on their merits, they only came before the Council on appeal.

The Hon'ble Sir John Maynard.—There is a complete answer to that, and my friend knows it well. He knows that the Privy Council had the power to go into the facts had it thought fit to do so, and if it did not go into the facts it is because it did not see sufficient reason to do so. Then it has been said what harm can be done if somebody is appointed to review all these cases. The harm, Sir, lies in this, and my friend knows that well enough too. He knows that after two years have passed it is not possible to find fresh evidence. He knows that this new body will have before it nothing except those same papers which have been examined by the reviewing Judges, and which have been examined on two or more occasions by His Excellency the Governor; and he knows that nobody could be appointed who could approach the task with the same great authority as the Privy Council.

In conclusion, Sir, let me say that the Government has spoken, through me, and told this Council that it cannot accept a proposal for the general release of these prisoners. But let me add that it has not closed the door on the consideration of individual cases. If individual cases are laid before Government

for consideration, as was said by the Hon'ble the Home Member in the Indian Assembly, Government is prepared always to consider representations in regard to individual cases.

Mian Muhammad Shah Nawaz.—I beg to submit that I may have a chance of replying.

The Hon'ble the President.—You have no further right of reply.

I shall now put the two parts of the resolution. The first part is "that this Council recommends to the Government to extend amnesty to all Martial Law convicts of the Punjab who have not yet been released." When the vote of the Council has been taken on that I shall then put the second part which is "that this Council recommends to Government to appoint a Committee to examine the records of all Martial Law convicts who are still in jail, and to make such recommendations for the remission or reduction of sentences in each case as the Committee may deem fit."

The first part was put to the Council and lost.

The second part was put to the Council and a division was called. The result was as follows:—

For the motion ... 22

Against the motion ... 24

Majority against ... 2

The motion was declared lost.

The Hon'ble the President.—As the Council has decided not to recommend a Committee the portion of the resolution which deals with the constitution of the Committee does not require to be put.

(The Council then adjourned for lunch till 2-30.)

## RESOLUTION REGARDING THE PAYMENT OF COM- PENSATION TO PERSONS WHO SUFFERED DUR- ING THE MARTIAL LAW REGIME.

Diwan Bahadur Raja Narendra Nath.—

The resolution which I am going to move in this Council is as follows :—

"That this Council recommends to the Government that a Committee consisting of a member of the Executive Council, and three elected members of this Council having knowledge of law or possessing judicial experience to be nominated by His Excellency the Governor be appointed with power to co-opt one member, who is not on this Council, to consider (a) what persons or class of persons who suffered in consequence of official action during the Martial Law régime should be compensated, and (b) what compensation should be paid in each case."

His Royal Highness the Duke of Connaught appealed to all British and Indian subjects of His Majesty "to bury along with the dead past the mistakes and misunderstandings of the past, to forgive where we have to forgive and to join hands to work together." I say for myself and I believe that I am in a position to say on behalf of most if not all of us assembled here that the appeal has touched our hearts. But I am doubtful if it has evoked an adequate response from those who actually suffered. According to a local paper, mere words are not enough to give satisfaction to the Punjab's "lacerated heart."

I need not dwell long on the present political situation of the country, despair and discontent reign supreme. The real as well the professed object of non-co-operation is to paralyse Government. An examination of the history of that movement will show that the Punjab affairs are mainly responsible for the attitude adopted by the advanced politicians of the country. The Amritsar Congress held in December 1919 was preceded by King's Proclamation of Amnesty. Though the Reforms were considered by the Congress

to be inadequate there was no indication of any intention to boycott the New Councils. The Hunter Committee had not concluded its labours. The remarks of some of the Judges of the Judicial Committee of the Privy Council whilst admitting the first appeal from the orders of the Special Tribunal had raised expectations which were not fulfilled by the subsequent decision of February 1920. The report of the Hunter Committee which appeared much later also showed a sharp cleavage on racial lines. The orders of the British Cabinet on the report came out in the spring of 1920 and did not give satisfaction. I do not remember the exact date on which Mahatma Gandhi first announced his doctrines of non-violent non-co-operation. I, however, remember that the first programme of non-co-operation was a very moderate one. Lord Finlay's resolution in the House of Lords about General Dyer's responsibility must have served as the last straw on the camel's back, and must have completely shaken faith in inter-racial justice. The special Congress over which Lala Lajpat Rai presided in September last passed a resolution approving of non-co-operation. This was followed by a resolution of the Nagpur Congress in which the policy of non-co-operation was carried still further.

I have read carefully Lord Ronaldshay's speech at St. Andrew's dinner criticising Mahatma Gandhi's book on Home Rule. I have nothing to say against that criticism, but the book stimulates in me mental activity in a different direction. It induces me to study the psychology of the author's mind in order to find out what lies hidden in the innermost recesses of his heart. It shows, as I have said at the outset, a feeling of extreme despair and of discontent. *A* and *B* who were on friendly terms fall out. *B*'s faith in *A*'s friendship and his friendly overtures is shaken. *A* offers to *B* sugar; *B* says, it is bitter. *A* offers nectar to *B*, *B* says it is poison. *B* does not thereby mean that sugar is bitter or nectar is poison.

Mahatma Gandhi's saintly character is universally admitted. I need not go back

to the earlier events of his life in South Africa showing active loyalty to British Government and solicitude for the maintenance of the Empire. It is sufficient to refer to what took place in my presence in April 1918 at Delhi when the Mahatma supported a resolution passed in the War Assembly for obtaining recruits and giving other necessary help to enable the British to win the War. He did actually raise recruits. What has driven him to despair? The answer is Punjab affairs, the subsequent official action which has been considered to be wholly inadequate and the Khilafat question. I fully sympathise with my Muhammadan brethren and am alive to the necessity of the revision of the Treaty of Sevres. But I cannot help quoting here the words of the special correspondent of the *London Times*. Says he, "I believe the Khilafat agitation is relatively shallow outside Muhammadan extremist circles, and the wound left by the Punjab tragedy is incomparably deeper." Various remedies have been suggested for healing the wound. These are:—

- (1) An amendment of the constitution so as to make impossible a repetition of the official high-handedness perpetrated in 1919.
- (2) Punishment of the guilty officials.
- (3) *Swaraaj*.
- (4) Revision of the Treaty with Turkey.

Nothing which lies within the power of the Punjab Government or this Council can help us towards the adoption of any one of these remedies.

None of the remedies enunciated has been effectual.

Some are impracticable: others slow in their operations.

The question then is what is the remedy for Punjab wrongs. The only remedy which has not been tried on any generous scale is that proposed in the resolution. When the Act of Indemnity was passed

in September 1919 I wondered why whilst the officers were protected there was no provision in the Act to compensate those who had suffered. The principle of awarding compensation has been admitted as far as the survivors of the victims of Jallianwala Bagh are concerned. Sir William Vincent in course of a recent debate in the Legislative Assembly announced that the attention of the Punjab Government would be drawn to the desirability of awarding compensation more liberally to the survivors of those who suffered in the Jallianwala Bagh Tragedy. He also singled out two other cases of arrests and confinement which were egregiously wrong. But the number of persons who were arrested without the least justification merely to satisfy the whim of some officers, Civil or Military, is much larger; there were also arrests in areas where there was no Martial Law. There is also for consideration the case of many innocent persons who were tried by Summary Courts Martial for offences which the public regard to be purely imaginary. Last but not least is the case of many constitutional agitators who were convicted as the leading spirits of a conspiracy which in the opinion of the Hunter Committee never existed. All these classes of persons should be considered by the Committee which I propose to appoint.

Sir, the body politic is suffering from a deep seated malady at present for which *Swaraaj* is the only radical remedy, but the course of treatment by which the medicine has to be ministered is a long one and the patient exhibits unusual excitement requiring treatment which in the phraseology of medical men is called symptomatic. Government ask us to forget and forgive. It is easy enough to give this advice but it is difficult for those who suffered to accept it. Please do not judge my proposal by standards which have never been applied to political actions. Nothing in this world has ever given universal satisfaction. But justice must be done. If it is a fact, and it is a fact, that excesses have been committed by officers, if it is a

fact, and it is a fact, that a large number of innocent persons have suffered at their hands. If it is a fact, and it is a fact, that an Act of the legislature protects these officers against the normally legal consequences of their actions, then those who suffered unjustly must be compensated and the balm must be applied to the wound. The sooner this is done the better.

**Mian Muhammad Shah Nawaz.**—I heartily associate myself with the resolution so ably moved by my learned friend, Diwan Bahadur Raja Narendra Nath. Only the other day we have remitted the Indemnity Tax that was imposed on the inhabitants of Amritsar under the Police Act. The Government has also liberally compensated the families of the Europeans who were so cruelly murdered by the ruffians. Is it not then incumbent on our part to compensate the victims who suffered at the hands of offending officers? Sir, who can forget the Jallianwala Bagh and the fateful day of 13th April. An English General, whose name is Dyer, marched into that garden with 30 soldiers. He took also an armoured car, but the passage was so narrow that it could not be admitted. He posted these 30 soldiers on an elevation which was near the entrance. It took him only 30 seconds to make up his mind and he ordered his soldiers to fire upon the innocent audience including men and boys which roughly estimated from 15,000 to 20,000. He checked his fire from time to time and ordered his soldiers to fire on the crowd where it was thickest. For 10 minutes the fire continued. The ammunition ran out and then the good General stopped. Altogether, Sir, he fired 1,350 rounds of ammunition. He admitted in his statement before the Hunter Committee that if he could take the armoured car in, he would have opened fire with it. He made no provision for the removal of the wounded. It was no business of his, because that was a medical question. The result was that the blood was pouring in torrents. Hundreds were killed, hundreds were wounded, and many were trampled

under the feet of the mob that was rushing. Sir, one of the English papers at home compared this terrible tragedy with the massacre of Glencoe. The frightfulness of this tragedy cannot be described in words. It was a calculated act of inhumanity, and I venture to submit that it forms the blackest page in the history of British Administration in this country. It is, therefore, right on our part that we must compensate the families of those who were killed at Jallianwala Bagh and also those who were wounded there on that awful day.

Sir, next comes the case of those—some 50 men—who were subjected to the barbarous and inhumane process of crawling like reptiles. Then, Sir, let us come to Lahore. There is no evidence to show that there was an open rebellion at Lahore. Innocent respectable men were arrested and subsequently released after long detention, because there was no evidence against them. Some of these gentlemen are present in this Council. The leaders were prosecuted, a few were acquitted, others were convicted without much legal evidence and subsequently released under the Royal Proclamation. Their case, therefore, requires consideration.

A marriage party was arrested because they were more than 10. The bridegroom, the priest and others were flogged. This is the only instance which the noble Colonel Johnson regrets. But the marriage party including the bridegroom were humiliated. Who is to compensate this marriage party? This marriage party should also be compensated.

Then, Sir, there is the case of the students, who were forced to march 16 miles a day in the hot sun.

Then I submit, Sir, that the firing from aeroplanes at Jallianwala Bagh was quite unjustifiable. Those who were killed and wounded in this manner should also be compensated.

The Hon'ble Sir John Maynard.—May I correct the Hon'ble Member. No firing from aeroplanes took place at Jallianwala Bagh.

Mian Muhammad Shah Nawaz —I did not say Jallianwala but I said Gujranwala.

Then the firing from the aeroplanes at Gujranwala was utterly unjustifiable. Those who were killed and wounded in this manner should also be compensated.

There are many persons at Wazirabad, Chuharkana, Nawapind, Mianwali, where people have suffered torture, humiliation and bereavement. Their cases also require consideration.

Sir, the wound inflicted during the Martial Law days is too deep. It is still painful. It has not yet been healed. If we were to leave it alone, it may spread and result in blood-poisoning of the entire constitution. Sir, we cannot soothe the suffering, humiliation, bereavement and injustice suffered by the inhabitants of this unfortunate Province by mere words. Something practical must be done. If the Government sincerely desires to heal the old sores, to strengthen the old ties, to remove bitter memories and associations, to create a greater mutual confidence and goodwill, it must compensate the victims of Martial Law. One of the most loyal supporters of the British Rule in India—His Highness the Aga Khan—has rightly observed: "If the official offenders are properly punished and if the victims are as far as possible recompensed and if care is taken that in future Martial Law of this kind will be rendered impossible, then the Punjab question is settled."

Sir, I am sure we are not going to be vindictive. We do not desire punishment of the offending officials. We will forget and forgive their cruel misdeeds, but the sufferers must be compensated. Even Sir Valentine Chirol contributed an article in the columns of the *London Times*, and in it he says:—

"Unless the Government takes definite steps to assuage the rankling sense of racial humiliation engendered by the Punjab methods of repression before the new Councils meet and themselves reopen the question on which Indian opinion is

unanimous, I fear that merely repressive measures against Gandhism may prove futile and the Reforms to be inaugurated in the worst possible atmosphere will wither before they can bear fruit, and between official optimism or inertia and the sapping of the revolutionary forces, we shall drift still further into chaos and disaster."

The Hon'ble Sir John Maynard.—Perhaps I may explain at this stage that what a portion of this resolution asks for has already been accepted by the Government of India. It has not been mentioned by any speaker that there was a resolution in the Indian Assembly, moved by Mr. Jamnadas Dwarakadas, and one of the items which was fully accepted by the Hon'ble the Home Member on behalf of the Government of India was that adequate compensation be awarded to the families of those killed or injured at the Jallianwala Bagh and other places on the same scale as the compensation awarded in the case of Europeans who suffered or were killed during the Punjab disturbances. Therefore, it may be taken as already decided that the Government will take action and will proceed to award adequate compensation to the families of those killed or injured quite apart from the resolution now before the Council.

Diwan Bahadur Raja Narendra Nath.—I said that in my speech.

The Hon'ble Sir John Maynard.—I did not catch that.

The Hon'ble the President.—This resolution falls into two parts. First, "that a Committee be appointed to consider what persons or class of persons who suffered in consequence of official action during the Martial Law regime should be compensated, and what compensation should be paid in each case." That is one part. The second part deals with the constitution of the Committee. As in the previous case, I will take these two parts separately.

I now come to the amendment of Chaudhri Muhammad Amin. He proposes to substitute "to propose adequate compensation to the families of those

killed and to those injured at the Jallianwala Bagh and other places during the Punjab Disturbances in 1919 on the scale followed in similar cases for Europeans."

I take it the Government will accept that.

The Hon'ble Sir John Maynard.—Yes, Sir.

The Hon'ble the President.—Then I think the best procedure will be to call upon Chaudhri Muhammad Amin to move his amendment. Then the Council will have to decide whether they accept that those killed or injured at the Jallianwala Bagh and other places should be compensated, or whether they wish to go further and support Raja Sahib's proposal that all persons who suffered in consequence of official action, whether killed or wounded, or who suffered in any other way, should be compensated.

Chaudhri Muhammad Amin.—Sir, I move part 3 of my amendment, and my reasons for moving this amendment are that Raja Sahib in his original resolution uses the word 'suffered'. I think this word is so wide that it would be very difficult on the part of Government, or for any Committee that may be appointed by the Government, to see how many suffered and by what means. During the Martial Law régime the trouble caused was so widespread that it would be impossible to count the persons who suffered. I think it would be useless to go into these details now. I may mention by way of instance that train service of the North-Western Railway was disturbed in those days, and many of us had to walk or travel by tongas or other most inconvenient conveyances instead of travelling by railway, and if this word 'suffered' is retained in this motion I think that, as I also on one or two occasions travelled by tonga instead of by railway during the hot season and did suffer, I ought to be compensated. But I do not think any member of this Council would be inclined to award compensation for such minor inconveniences. Everybody suffered to some extent in those days, and I

think, Sir, that in giving practical effect to this resolution what is in our minds is that compensation should be paid only to those persons who suffered in body, in mind or in property. I think the wording of the Raja Sahib's motion does not sufficiently limit the extent of his proposal. I have also used the words "Punjab Disturbances of 1919" instead of Martial Law régime," because I think that certain injuries or losses were suffered before Martial Law came into existence, and it is possible that some people suffered after the cessation of Martial Law and I think the words I suggest are more comprehensive.

Again the Raja Sahib has used after the word "Council" the words "to consider." I think the Committee which he wishes His Excellency to appoint ought not to restrict its functions to simply considering. In part (b) of his motion I think he also meant to say that that Committee should not only consider what class should be compensated, but also what compensation should be paid. And I think if he had made it clear that the Committee was to make certain proposals as to the persons to be compensated and the amount of compensation to be paid it would have been much better. Then again the resolution confines the issue to certain places. I think that it ought to be specified that all injuries or losses suffered wherever they may have occurred, ought to be compensated, and there ought to be some scale of compensation similar to that by which certain European sufferers were compensated. There ought to be no distinction in this matter.

With this object in view I move that after the words "not on this Council" the following words be substituted "to propose adequate compensation to the families of those killed and to those injured at the Jallianwala Bagh and other places during the Punjab Disturbances of 1919 on the scale followed in similar cases for Europeans."

I think it is the intention of the Raja Sahib, in moving his resolution that the discontent which he says is existing



in the Punjab should be allayed, and I think if all the suggested measures are adopted that discontent will be allayed.

**Mr. Ganpat Rai.**—I would like to make it clearer what the meaning of the word "injury" is. I think it is the intention of the Mover of the amendment to cover all cases of injury in body, mind and reputation. I would, therefore, like to have these words added after the word "injury."

**Mr. Manohar Lal.**—Surely that would be a distinct amendment and the Member is out of order.

**Chaudhri Muhammad Amin.**—I would like to leave the word "injury" in my amendment as it is. The ordinary dictionary meaning is the one which may be imputed to it.

**The Hon'ble the President.**—The word "injured" in the expression "killed and injured at the Jallianwala Bagh and other places" can only mean injured in the body. If the word "injured" bore the meaning, which Mr. Ganpat Rai wishes to give to it, the amendment would have raised no new point, and I should have refused to admit it. The Council should discuss the amendment on this understanding.

**Chaudhri Muhammad Amin** do you wish to reply?

**Chaudhri Muhammad Amin.**—Practically Mr. Ganpat Rai has not spoken against my amendment. He gave a certain interpretation to a word which I used, and my amendment stands as it is. He has not spoken against it.

**The Hon'ble the President.**—Does Government wish to speak?

**The Hon'ble Sir John Maynard.**—No, Sir.

**The Hon'ble the President.**—The motion now before the Council is that in place of the words to consider (a) what persons or class of persons who suffered in consequence of official action during the Martial Law régime should

be compensated, and (b) what compensation should be paid in each case' the words 'to propose adequate compensation to the families of those killed and to those injured at the Jallianwala Bagh and other places during the Punjab Disturbances of 1919 on the scale followed in similar cases for Europeans' be substituted.

The motion was put and a division was taken with the following result:—

For the amendment	...	27
Against	...	16

Majority for...	...	11
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The motion was carried.

**The Hon'ble the President.**—The motion now before the Council is 'That this Council recommends to the Government that a Committee consisting of a member of the Executive Council and three elected members of this Council having knowledge of Law or possessing judicial experience to be nominated by His Excellency the Governor be appointed with power to co-opt one member, who is not on this Council, to propose adequate compensation to the families of those killed and to those injured at the Jallianwala Bagh and other places during the Punjab Disturbances of 1919 on the scale followed in similar cases for Europeans'.

**Mian Muhammad Shah Nawaz,** Will you now move your amendment?

**Mian Muhammad Shah Nawaz.**—Sir, I beg leave to move the following amendment: "That in place of the word 'a member of the Executive Council' the words 'President of the Legislative Council' be substituted."

My reason is quite obvious. A member of the Executive Council cannot sit on the Committee and at the same time go into the recommendation made by the Committee because a member of the Executive Council is also a part of the Government.

**Diwan Bahadur Raja Narendra Nath.**—Sir, I accept this amendment.

**Malik Firoz Khan.**—Sir, I wish to oppose this amendment on this principle, that there is no doubt that every member of this Council certainly has the greatest respect and believes in the impartiality of the President and it is for this reason alone that this amendment has been brought forward in the manner; but on the other hand, Sir, there is one thing to be remembered, and that is this, that the President of this House is a neutral person and he in the future has got to satisfy all parties, and if he is brought in in any such discussion, it may be that in future on account of some of his decisions he may not be able to command the same respect, although his decision might be based on very judicious and thoughtful considerations. So on that view of expediency I suggest to the House that the President should not be brought in these things. He should be allowed to remain absolutely neutral. In that case either a member of the Executive Council or a Judge of the High Court will be more suitable for this kind of business rather than the President.

**Mr. Manohar Lal.**—Sir, I should also like to associate myself with the remarks of Mr. Firoz Khan in opposing this amendment. I think that the President of this House, like the Speaker of the House of Commons, should be kept out of all controversial matters or matters that at any stage may assume a controversial shape. It is well recognised that the Speaker of the House of Commons stands entirely outside all parties. He really belongs to no party.

The President of this House, like the Speaker elsewhere, is a custodian of our privileges, and it would be a matter of great regret if any time because of his action being approved or otherwise by the members of this Council (a position which might easily arise as it has arisen with reference to the action on the part of the Judges of this High Court, and the Judges of the other High

Courts) he should lose any portion of that respect with which his eminent office should always be surrounded. Sir, it is recognized that the position of the President of this House is that of a predominantly judicial character in reference to matters which immediately come before this House and on which he has to give his decision in an absolutely impartial manner. In fact the eminence which attaches to the President of such a House as this is securely based on the fact of his absolute and unvarying impartiality with reference to all matters proceeding either from the Government benches or from the opposition benches that may come before the House for consideration. I do think that the position would be seriously jeopardised if it would not be possible for the President to command the same respect on behalf of all members of this Council in case he came to one decision or the other on such matters as would come before the Committee which it is sought to appoint to adjudicate on matters of compensation. I would be very sorry indeed if he were dragged into the actual turmoil of the topics of that kind. I would, therefore, ask Mr. Shah Nawaz and Raja Sahib not to press this motion.

In so far as I have been able to gather, it would be unheard of for the Speaker of the House of Commons to take up a position of this kind. It is well recognized by law there that he accepts no position of profit under the Crown, and he does not associate himself, as long as he is the Speaker of the House, with anything of this nature. He is regarded as part and parcel of the House, he resides in the palace at Westminster, and presides over the Commons' deliberations. He is surrounded with great ceremony and dignity. He is the custodian and guardian of the privileges of the House in the discharge of the arduous duties of his high position. He would never be associated with the sort of work which is imposed by the amendment moved by Mian Shah Nawaz, and I would appeal to him to withdraw his motion.

**Diwan Bahadur Raja Narendra Nath.**—My object in accepting the amendment was that I thought there would be greater objections to Government appointing a Judge of the High Court or a member of the Executive Council. I thought that the report of the Committee would come before the Executive Council, and the member of the Executive Council would be placed in a very awkward position if he were on the Committee and if the report of the Committee were to come finally before the Executive Council itself.

As to a Judge of the High Court, I thought the Government of India probably controls the High Court now, and the Local Government could not force their orders on the High Court Judges. Therefore on the suggestion of Mian Shah Nawaz my choice fell on the President of this Council. I am not well versed with the procedure of the House of Commons, but as far as I remember I read somewhere that the President of this Council has a casting vote and can vote with the Council, if votes on each side of the question are equal. Well, if he can vote in this Council, I do not see what objection can there be to his being appointed on a Committee on which he exercises a similar function, *i.e.*, he can give a casting vote and decide the matter in that way. I am not very well versed, as I have said already, with the history of the House of Commons, but I think there ought to be no difficulty in the President of the Council giving up his neutral position. At any rate, his appointment to the Committee and his taking the Chairmanship of the Committee is more free from objection than the appointment of any one else proposed.

**Mr. Manohar Lal.**—With your permission, Sir, I should like to read a sentence with regard to the casting vote. 'In the first place, a Speaker should give his vote, if possible, so as to avoid a final settlement of the question before the House; if there is any way of arriving at such a result, he should give the House an opportunity for reconsidering the matter. That is the practice in the House

of Commons at any rate.' I am quoting from Josef Redlich Procedure of the House of Commons.

**Mr. Ganpat Rai.**—In addition to the reasons given by the other members, I would say that there is no reason, when we propose a Committee of three elected members, why one member of the Executive Council should not be added to that Committee. I think it is proper that Government should be represented on the Committee. The elected members will be in a large majority, three to one, and, therefore, I oppose the motion on this ground also.

**The Hon'ble the President.**—There is reserved a right to the President to address the Council before putting any matter to the vote. I wish, so far as possible, to keep out of this controversy. At the same time, it is right that, as your President, I should put to you certain considerations on which you must pronounce judgment. As regards the casting vote, the well-recognized procedure is that stated by Mr. Manohar Lal. In the case of an equality of votes the President of any assembly of this sort invariably, whatever his personal opinion, casts his vote in a way, if possible, to give a further opportunity for discussion. If that is not possible, I think, I am right in saying that he casts his vote in favour of the *status quo*, whatever his personal opinion may be.

As regards the particular proposal before the Council there are two considerations which it should weigh; one of form and one of substance. The amendment proposes to the Council that Government should be recommended to appoint the President of this Council to be a member of a Committee. The President of the Legislative Council is not under the orders of the Government, and I do not think the Council will be acting wisely to ask the Government to appoint its President to any Committee. The proper position is that the Government should invite the President if they wish him to give his services. This is a matter of form. There is also the matter of substance. I ask the Council to

consider whether it is wise to force its President into a position prematurely. Surely a discretion should remain with the President and he should be allowed, before he is put on a Committee, to see its terms of reference and the composition of the Committee itself. Obviously it is desirable, in the interests of the rights, privileges and dignities of this Council, that its President should not be drawn into party strife. If he can preside over any Committee which will allay strife, he will be doing the work of the Council, but if the conditions are such that the interests of the Council would in his opinion suffer from his inclusion in any Committee, then I do not think that he should be compelled to serve without the direct vote of the Council being taken. That is the only consideration I would put before you. Is it wise to call upon the Government definitely to appoint your President to a Committee of which the terms of reference and the membership have not yet been settled. Would it suit you, Mr. Shah Nawaz, if your motion ran that the Committee should include three elected members of this Council and so left it to the Government either to ask your President to preside or to appoint a member of the Executive Council?

**The Hon'ble Sir John Maynard.**—I might explain that it is very unlikely that the Government would care to appoint a member of the Executive Council. In fact it may be taken as practically certain that they would not.

**Mian Muhammad Shah Nawaz.**—I beg to withdraw my amendment that the words 'President of the Legislative Council' be substituted for the words 'a member of the Executive Council'.

**The Hon'ble the President.**—The motion before the Council is that permission to withdraw the amendment be granted.

The amendment was by leave withdrawn.

**Malik Firoz Khan.**—I beg to move that after the word 'Committee' in the first line of the resolution the words

'which should include' be substituted for the words 'consisting of a member of the Executive Council and'.

The motion was put and carried.

**Chaudhri Muhammad Amin.**—Sir, I beg to move that after the words 'possessing judicial experience' in line 3 of the resolution, the words 'and having as its President a Judge of the High Court or a person qualified to serve as such Judge' be inserted.

Sir, my object in moving this amendment is that the people have great reliance in the High Court of this Province. We are going to have on the Committee member of this Council and one member not belonging to the Council. And it seems to me very desirable that a Judge of the High Court or a person qualified to be a Judge should serve on the Committee.

**Malik Firoz Khan.**—I rise to oppose the amendment. In my opinion the Judges of the High Court are already very hard-worked, and it will be unfair to take away one of the Judges from the High Court and put him on to this extraneous duty while on the other hand, people are clamouring for more Judges. Moreover, as the resolution stood before this amendment was moved, it was open to His Excellency to appoint, if he so wishes, a Judge of the High Court, and there is no necessity for this amendment.

**Sayad Ghulam Muhammad Shah,** who spoke in Urdu, supported Malik Firoz Khan and said that a Judge from the High Court should not be taken for this work as it would cause great inconvenience to litigants.

**The Hon'ble the President.**—I suggest to this Council that there is a question of privilege here. If the Council expects its own dignity to be respected, it is not wise for it to talk as if it could order about the Judges of the High Court. The High Court Judges hold from His Majesty; your President holds only from the Governor. If you do not wish the Government to dictate to your

President, you must not ask Government to appoint a High Court Judge. I place this before you for your consideration. I am rather particular about the question of privilege. With these remarks I will put this amendment to the Council.

The Hon'ble the President.—The motion now before the Council is that after the words '3 elected members of this Council having knowledge of law or possessing judicial experience to be nominated by His Excellency the Governor' the words 'a Judge of the High Court or a person qualified to serve as such' may be inserted.

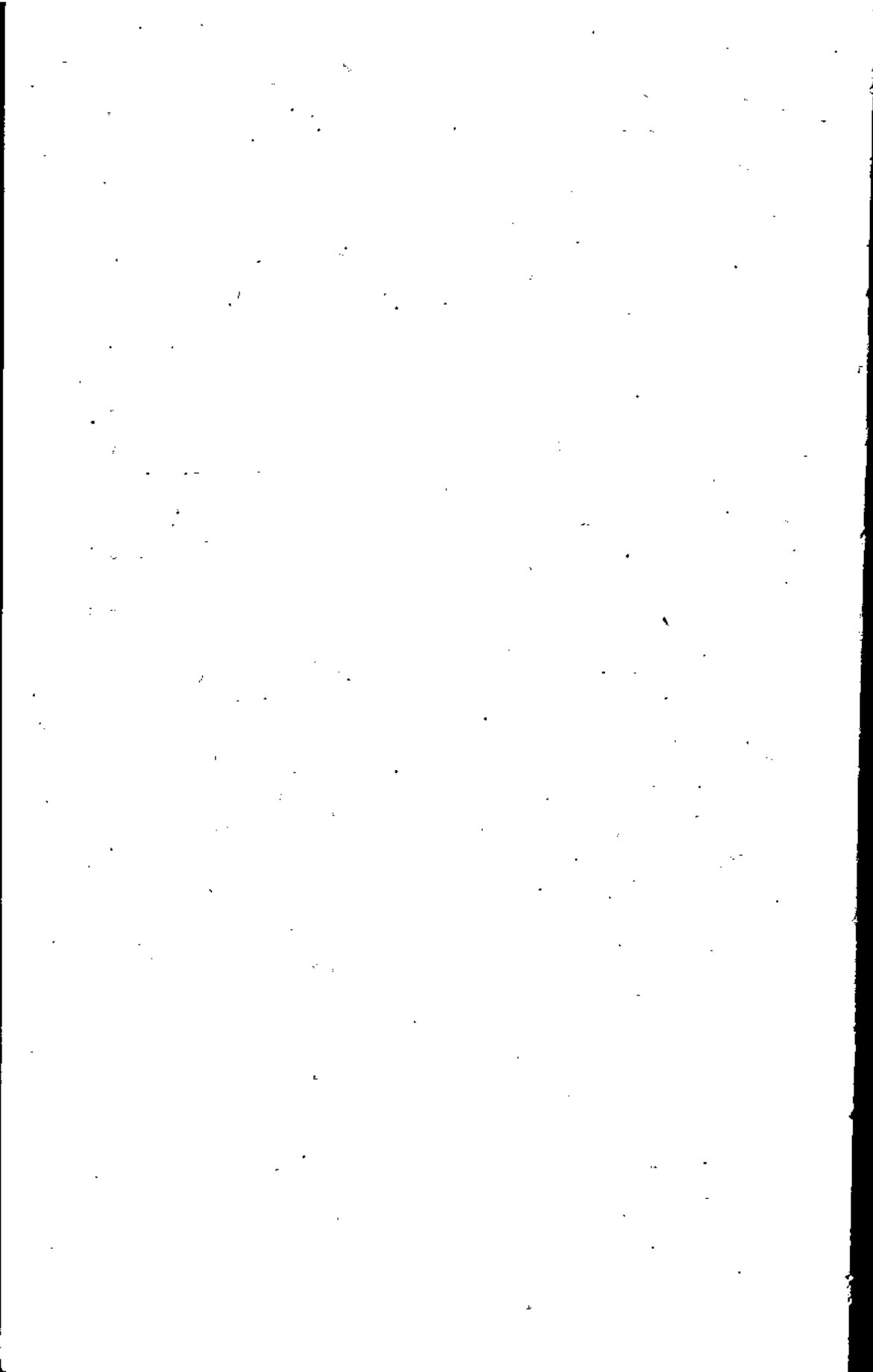
The motion was put and lost.

The Hon'ble the President.—The amended resolution now stands as follows :—

"That this Council recommends to the Government that a Committee which should include three elected members of this Council having knowledge of law or possessing judicial experience, to be nominated by His Excellency the Governor, be appointed, with power to co-opt one member, who is not on this Council, to propose adequate compensation to the families of those killed and to those injured at the Jallianwala Bagh and other places during the Punjab Disturbances of 1919 on the scale followed in similar cases for Europeans."

The motion was put and carried.

The Council adjourned until 10-30 to-morrow morning.





## PUNJAB LEGISLATIVE COUNCIL.

*Thursday, 17th March, 1921.*

The Council met at the Council Chamber at half past ten of the clock. The Hon'ble the President in the Chair.

### QUESTIONS AND ANSWERS.

#### NEW ROADS IN AMBALA.

301. Rai Sahib Lala Panna Lal.—Is Government prepared to allot a special grant for constructing new roads in Ambala District, especially of roads from Ambala to Jagadhri direct?

The Hon'ble Lala Harkishan Lal.—Last year the Communications Board allotted a lump sum provision of about half lakh to the Ambala Division out of the restricted grant of Rs. 2½ lakhs placed at the disposal of the Communications Board for metalled roads in the Province. When the allotments of grants to local bodies for metalled roads in the financial year 1921-22 are being made the Communications Board will give again due consideration to any application for funds which may be submitted by the District Board, Ambala, for the roads mentioned.

The Hon'ble Sir John Maynard.—The Financial Commissioner is aware of only three cases having occurred during the last three years in which accounts audited by certified accountants were not accepted as they were either incomplete or incorrect. Though the files of 200 revision cases have been examined in the Financial Commissioners' Office, in no single case has the matter referred to in the question been made a ground for revision. Rule 16 of the rules under the Income-tax Act, VII of 1918 (copy attached), lays down that the "Collector shall, unless he sees reason to contrary, accept as complete and correct with regard to the facts certified in it a statement of profits and loss certified as complete and correct, etc.," and the Financial Commissioner has no reason to believe that the spirit of this rule is being contravened.

#### INCOME-TAX DEPARTMENT.

302. Rai Sahib Lala Panna Lal.—Is the Government aware that even when audited accounts are submitted to Income-tax Officers, they are sometimes re-audited and checked by accountants appointed by the Income-tax Officer? Is Government aware that this practice is disliked by some business people? If so, will the Government be pleased to direct that accounts audited by certified auditors be accepted by the Income-tax Department?

#### POSTAL STRIKES.

303. Rai Sahib Lala Panna Lal.—Will the Government state what measures it contemplates to take in view of the situation created by postal strikes?

Has the Government any idea of the extent to which the trade is suffering in the Province due to unrest among postal employees?

The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia.—As regards postal strike I would refer my friend to an answer given to a practically the similar question of Maulvi Muharram Ali, Chishti.

### IRRIGATION IN AMBALA DISTRICT.

304. Rai Sahib Lala Panna Lal.—

(1) Is the Government aware that though there are two important canals in Ambala District, irrigation in that district is limited? Will Government be pleased to take steps to extend the Canal irrigated area in that district?

(2) Will the Government be pleased to take steps to give Ambala District an extensive share in the use of the Hydro-metric Electric Scheme of Bakara?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—The answer to the first part is in the affirmative; to the second part, negative, as the combined physical features of the district and the parts of the two canals passing through it preclude them, and to the third that no pronouncement can be made.

### PROTEST AGAINST TERMINAL TAX.

305. Rai Sahib Lala Panna Lal.—

(1) Has the Government received a representation from the proprietor of the Industrial Flour Mill, Ambala City, protesting against the proposed duty on the mill exports under the terminal tax recommended by the Ambala Municipality?

(2) If so, will the Government kindly state what action has been taken on the above representation?

(3) Is Government aware that the imposition of such a duty may injuriously affect the Flour Mill Industry in Ambala and will it before sanctioning the proposal consider the effect it may have upon the Ambala Flour Mills?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—(4) Government receive a representation from Lala Balmukand of the Imperial Steam Roller Flour Mills on the same day that it received the Hon'ble Member's enquiry whether the representation had been received.

(2) No action has yet been taken in the matter. The proposed terminal tax schedule is under consideration.

(22) The question of the possible injury to the trade of Ambala must have been considered by the municipal committee as it is vitally interested in its development and Government will also consider Lala Balmukand's representation before orders are passed on the schedule.

### OCTROI TAX ON MOTORS IN AMBALA.

306. Rai Sahib Lala Panna Lal.—

Is it correct that the Ambala Cantonment Committee has a large surplus? If so, for what purposes was an octroi tax on motor cars imported in Ambala Cantonment, imposed under Government Notification No. 7508-S., dated 15th October 1920?

The Hon'ble Sir John Maynard.—It is not quite accurate to say that the Ambala Cantonment Committee has a large surplus balance. At the end of the last financial year the balance according to the published returns was nil.

### LIGHTENING OF TAXATION IN CANTONMENTS.

307. Rai Sahib Lala Panna Lal.—

Will the Government be pleased to consider the desirability of lightening taxation in the following cantonments of the Province, where the Cantonment Committee funds show larger surpluses:—

(1) Ambala Cantonment with an opening balance of Rs. 1,41,661 in the revised estimates of 1920-21.

(2) Kasauli Cantonment with an opening balance of Rs. 7,770 in the revised estimates of 1920-21.

(3) Jullundur Cantonment with an opening balance of Rs. 28,449 in the revised estimates of 1920-21.

(4) Ferozepore Cantonment with an opening balance of Rs. 61,431 in the revised estimates of 1920-21.

**The Hon'ble Sir John Maynard.**—As disclosed by the Report on the Local Funds in the Punjab for the year 1919-20 the closing balances of the Cantonment Funds referred to by the member are :—

	Rs.	A.	P.
Ambala ...	<i>Nil.</i>		
Kasauli ...	8,205	4	4
Jullundur ...	<i>Nil.</i>		
Ferozepore ...	12,621	13	6

In view of the financial position of the Cantonment Committees Government does not feel inclined to move the Government of India in the matter of lightening taxation in the cantonments in question as suggested by the member.

#### CLERICAL ESTABLISHMENT IN THE OFFICES OF CANTONMENT MAGISTRATES.

**308. Rai Sahib Lala Panna Lal.**—Will the Government state what is the numerical strength of the clerical establishment from Rs. 30 upwards in the offices of Cantonment Magistrates?

Have there been any additions or alterations in the numerical strength during the last ten or fifteen years?

Is the Government aware that the office establishments of the Cantonment Magistrates have remained stationed at their respective cantonments ever since their first appointment?

Will the Government be pleased to extend to their cases the practice of transfer of public servants after a certain period to other stations in the Province?

Will the Government state what increment in the salary of Head Clerks and other establishment of the Cantonment Magistrates has been made during the last ten or fifteen years and wherefrom the money for such increment has come?

Is it a fact that the burden of these increments falls wholly or mainly upon the surpluses of the Cantonment funds?

On what principle are the increments in the salary of these Head Clerks and other establishment effected?

**The Hon'ble Sir John Maynard.**—The establishments referred to are under the control of the Army Department, and this Government is, therefore, not in a position to give an answer.

#### AREA OF PASTURE LANDS ATTACHED TO CANTONMENTS.

**309. Rai Sahib Lala Panna Lal.**—Will the Government state what is the area of pasture lands attached to cantonments and what grazing fees are or have been charged from the public for cattle grazing? How far these pasture lands have remained intact or shrunk in area owing to encroachment due to various agencies, and whether the grazing fees charged from the public have remained immobile or have they changed according to the change in the area of the grazing lands?

Will the Government state whether it is possible for it to increase the area of these pasture lands so as to restore them to their original capacity? Will the Government see the advisability of making these pasture lands free for the public at least in those cantonments where there are surpluses?

**The Hon'ble Sir John Maynard.**—The Local Government is not in a position to answer the enquiry as the supervision of cantonment lands is with the Military authorities. A copy of the question and answer will, however, be forwarded to the Army Department for consideration.

#### PERSONS TURNED OUT OF CANTONMENTS.

**310. Rai Sahib Lala Panna Lal.**—Will the Government be pleased to inform this Council as to the number of persons turned out of the cantonments in the Punjab and of those re-admitted?

during the last five and the current years and the nature of their offences for which they were so turned out under section 216 of the Cantonment Code?

**The Hon'ble Sir John Maynard.**—In reply to a question on the same subject by Mr. Ganpat Rai it was stated that the Local Government received no official information regarding expulsions from cantonments. The Military authorities have been asked to send the Local Government intimations of orders of expulsion in future. But this Government have no record of past cases.

### NON-CO-OPERATION.

**311. Rai Sahib Lala Panna Lal.**—Will the Government lay a statement on the table, showing the number of Barristers and Pleaders, who, acting on the principle of non-co-operation, renounced their practice, and Government servants, who have resigned their services, and the title-holders, who have returned their insignia?

**The Hon'ble Sir John Maynard.**—As far as is known at present 17 legal practitioners are understood to have abandoned their practice, but these have not intimated to the High Court the surrender of their privileges as practitioners.

No detailed information is available about Government servants, but it is known that in the Police Department 2 Sub-Inspectors, 6 Head Constables and 13 Constables have resigned their posts.

Two title-holders have resigned their titles and three persons have returned their Kaisar-i-Hind Medals.

### JAIL ADMINISTRATION.

**312. Rai Sahib Lala Panna Lal.**—Will the Government inform this Council if any alterations are under

contemplation in regard to the administration of jails in the Province?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The subject of jail administration is at present under the consideration of Government but it is premature to say what steps are under contemplation for altering the conditions of jail life in the Punjab.

### EDUCATIONAL POLICY.

**313. Rai Sahib Lala Panna Lal.**—Will the Government declare the policy it intends to pursue in regard to education in Government and aided Schools and Colleges?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Government intends to pursue an educational policy which is national, economical, and makes for efficiency.

### TECHNICAL EDUCATION.

**314. Rai Sahib Lala Panna Lal.**—Will the Government inform this Council as to what is being done on (a) the spread of technical knowledge among the manufacturers, (b) improved facilities for cheaper and quicker transport of raw materials and manufactured goods, and (c) the provisions of technological training for young men?

**The Hon'ble Lala Harkishan Lal.**—(a) The following special officers have been engaged to spread technical knowledge among manufacturers:—

A Mechanical Engineer to advise manufacturers on all matters connected with machinery;

A Tanning Superintendent to improve that industry;

A Hand-loom Weaving Expert who gives assistance and advice to all interested in this industry.

In addition to this a Library has been opened in the office of the Director of Industries in which technical periodicals

and books are available. This Library is free to the public.

(3) (i) A Railway Committee has been appointed by the Government of India which is inquiring into this matter.

(ii) The Director of Industries is in constant communication with the Railway authorities and is always glad to assist to the best of his abilities in this matter.

(iii) Government has constituted a Communications Board consisting of official and non-official members.

This Board considers schemes for improving the transport facilities of the country—by road, rail and water. At the present time an engineer is employed in making the surveys for agricultural tramways in the Lyallpur District with a view of improving transport in agricultural areas.

The question of engaging an engineer to report on the possible inland water transport of the Province is also under consideration.

(c) Besides the Mayo School of Arts and the Railway Technical School and the Dyeing School which are Government Institutions in Lahore, there are (9) nine Industrial Schools in the Province which receive Government assistance. The question of improving these schools is receiving attention.

There have recently been started five Hand Weaving Schools in Amritsar, Sialkot, Multan, Jalalpur Jattan, and Sham Chaurasi where improved methods in hand-loom weaving and design are taught. The Government has also decided to establish a College for Mechanical Engineers in Lahore.

#### TRANSPORT OF COAL.

315. Rai Sahib Lala Panna Lal.—Is the Government aware that the inadequate supply of waggons for the transport of coal is injuriously affecting many industries? And will the Government inform the Council as to what Government

proposes to do for assisting manufacturers in this connection?

The Hon'ble Lala Harkishan Lal.—Government is aware of the grave difficulties resulting from the inadequacy of the coal supply. So far as this results from a lack of transport it is understood that every endeavour is being made to meet the situation, and that the Railway Board has instructed all lines to send to the collieries their highest capacity waggons and to meet all demands as fully and promptly as possible.

#### LETTER OF BIHAR AND ORISSA GOVERNMENT.

316. Pandit Daulat Ram, Kalia.—Has the Government seen the Bihar and Orissa Government letter No. 158-C., dated the 31st January 1921, published in the *Tribune* of 26th February 1921? If so, does Government propose to take some similar action?

The Hon'ble Sir John Maynard.—The Government has seen the communication referred to, but has not so far found it necessary to take similar action. It is obvious that adherence to the principle of non-co-operation is incompatible with the service of Government.

#### INDIAN SOLDIERS IN HOSPITALS.

317. Sardar Sangat Singh.—Will Government be pleased to state whether Indian soldiers are supplied with the same comforts in hospital as European soldiers are?

The Hon'ble Sir John Maynard.—The Local Government has no part in the administration of Military hospitals which are under the direct control of the Imperial Government.

#### NANKANA SAHIB.

318. Sardar Sangat Singh.—Will Government be pleased to state if the District authorities of Sheikhupura brought it to the notice of the Govern-

ment that Mahant Narsain Dass of Nankana Sahib was collecting arms? If so, what steps did the authorities take to seize them?

**The Hon'ble Sir John Maynard.**—The questioner is referred to the answers given on the 11th March to similar questions (Nos. 235 and 236) put by Lieutenant Sardar Ragbir Singh.

### EXTRA ASSISTANT COMMISSIONERS, ETC.

**319. Sardar Dasandha Singh.**—Will the Government be pleased to furnish information on the following points:—

- (a) The number of Extra Assistant Commissioners, Munsifs (Judicial Department), Police Deputy Superintendents, Inspectors and Sub-Inspectors (including the C. I. D. and the Railway Department), Excise Inspectors and Sub-Inspectors, Caval Deputy Collectors and Zilladars, and Public Prosecutors in the Province separately.
- (b) The classification of the total number in each case under the following heads:—
- (1) Muhammadans, (2) Hindus, (3) Jat Sikhs, (4) Non-Jat Sikhs, (5) Christians.

The question was not put owing to the absence of Sardar Dasandha Singh.

### CONTRACTS FOR THE SALE OF LIQUOR.

**320. Lala Atma Ram.**—Is the Hon'ble Minister for Education aware that in some districts contracts for the sale of liquor were auctioned for three years in 1920?

If so, will he be pleased to state why the period of three years was so fixed?

**The Hon'ble Lala Harkishan Lal.**—The answer to the first part of the question

is in the affirmative. This system was introduced from 1st April 1920, into the districts of Jullundur, Ferozepore, Amritsar, Rawalpindi, Lyalpur and Simla. As some of the licensees suffered losses owing to decreased sales of liquor as a result of the introduction of the sealed bottle system, they were given the option to retain the licenses for three years or one year. Some of them availed themselves of this concession, and at the present time this system is wholly in force in the Ferozepore and Simla Districts and partly in the other four districts.

The reasons which led to the introduction of this new system were the elements of uncertainty and instability entailed by the existing system of auctioning licenses. It was realised that large capital was required for the running of some of the important shops and that one year's tenure was hardly sufficient consideration for the risk involved. The system of annual sales imported into these auctions a large element of gambling and holders in order to retain their shops, bid much higher than the shops were worth. This recklessness ultimately bred undesirable devices, and demoralised both the traders and the staff. Consequently this new system was introduced as an experimental measure in certain selected districts where the sealed bottle system had also been introduced, where the location and number of shops had been subjected to a careful scrutiny and where conditions from a revenue point of view had reached a stable condition.

### SIND SAGAR CANAL.

**321. Sayad Ghulam Muhammad Shah.**—Will the Government be pleased to state whether the preliminary measures for starting the Sind Sagar Canal Scheme have yet been taken? If so, what prevents works from being started?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The preliminary measures for starting the Sind Sagar Canal are in hand and construction cannot be commenced until they have been completed.



# FAMINE IN SHAHPUR.

322. Sayad Ghulam Muhammad Shah.—(a) Is it a fact that there is famine in the Shahpur and Khushab Tahsils on account of drought?

(b) If so, what measures do Government propose to take?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—It is not the fact that there is famine in the Shahpur and Khushab Tahsils. The latest reports indicate, however, that scarcity of considerable severity prevails. Of the two tahsils Khushab is much the more subject to drought, and the matured area of the last harvest was there half of the normal. The crop report for the week ending February 28th shewed that fodder was getting scarce, rain was badly wanted, and unirrigated crops were poor, but the condition of irrigated crops and cattle was said to be fair, and prices had not yet reached warning rates. The estimated area now under wheat is  $\frac{1}{2}$  of the normal.

(c) Government has already taken the following measures in this connection:—

(i) Rs. 45,000 of the demand for the kharif harvest have been suspended in the two tahsils: in Shahpur Tahsil, a large part of the demand is fluctuating, and varies with the season.

(ii) Rs. 60,000 previously suspended will be left uncollected this harvest.

(iii) Concession rates have been introduced for the transport of fodder from the Lower Jhelum Colony, and the Lyallpur and Sheikhupura Districts to all stations in these Tahsils.

(iv) Two and a third lakhs of rupees have been placed at the disposal of the Commissioner, Rawalpindi Division, for advance as loans to the districts of his division. The tahsils in question will no doubt obtain their fair share of this sum.

(v) The attention of Commissioner has for some time past been drawn to the

need of watching for signs of scarcity in his division developing into any approach to a famine.

## METALLED ROAD BETWEEN THE SOBHAGA RAILWAY STATION AND THE SHAHPUR-JHANG ROAD.

323. Sayad Ghulam Muhammad Shah.—Will the Government be pleased to have a metalled road made between the Sobhaga Railway Station and the main unmetalled Shahpur-Jhang Road?

The Hon'ble Mr. Harkishan Lal.—The construction and maintenance of district metalled roads or feeder roads to railways is a charge against the funds of district boards.

The question raised will be brought to the notice of the district board concerned.

## KHARABA SYSTEM ON THE PUNJAB CANALS.

324. Sayad Hussain Shah.—Is Government prepared to introduce the Kharaba System on the Punjab Canals to meet the conditions caused by deterioration in the soil?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—There is already a system whereby remissions are granted on account of Kharaba on all Government Canals, which embraces Kharaba due to poor or bad soils.

## BREAKAGE OF THE SYPHON OF RAJBABA, CHINIOT.

325. Sayad Hussain Shah.—Is it a fact that the kharif crop of many villages was ruined owing to the breaking of the syphon of the Rajbaba, Chiniot, of the Jhang Branch Canal in June last?

If so, what relief was given to the cultivators?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Enquiries are being made.

### PUNJAB C. I. D.

326. Captain Sardar Gopal Singh.—Will Government be pleased to give figures showing the number of the Superintendents, Deputy Superintendents, Inspectors and Sub-Inspectors by religion serving in the Punjab C. I. D.?

The Hon'ble Sir John Maynard.—The figures are :—

	Europeans.	Muslims.	Hindus.	Sikhs.	Bengalis.	Indian Christians.
Superintendents ...	3	—	—	—	—	—
Assistant Superintendents	1	—	—	—	—	—
Deputy Superintendents	—	3	—	—	—	—
Inspectors ...	—	6	3	1	—	—
Sub-Inspectors ...	—	13	11	13	2	1

### NANKANA SAHIB.

327. Captain Sardar Gopal Singh.—Is it a fact that the Sikh public has been dissatisfied with the management of the Nankana Sahib for a long time?

The Hon'ble Sir John Maynard.—The Government is not in a position to judge to what extent the dissatisfaction undoubtedly felt by some Sikhs in regard to the management of the Nankana Sahib shrine was shared by the community as a whole.

### KIRPAN.

328. Captain Sardar Gopal Singh.—Will Government be pleased to declare their policy regarding the wearing of the Kirpan?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Please see my reply to a similar question

asked by Sardar Bahadur Mahtab Singh on the 5th instant.

### UNAUTHORIZED SALE OF COUNTRY SPIRIT.

329. Captain Sardar Gopal Singh.—Is it a fact that in many villages some unauthorized men are selling unauthorized country spirit without being detected by the local subordinate excise staff? If so, will Government please take step to put a stop to this evil?

The Hon'ble Lala Harkishan Lal.—It is no doubt the case that excise frauds of the nature mentioned are committed. It is to detect them that a preventive staff is maintained. But if some cases still remain undetected, Government will be pleased to receive information of them.

### CORRUPTION IN JAILS.

330. Captain Sardar Gopal Singh.—(a) Is it a fact that a good deal of corruption prevails in the jails and that convicts who through their relatives and friends can afford to pay money save themselves from hard labour and their labour falls on those who cannot manage to pay?

(b) If so, will Government be pleased to take some steps to check this corruption?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—There is doubtless a certain amount of corruption in jails, but there is no reason to think that the department is specially corrupt. As the task of each labourer is definitely fixed it is improbable that the poorer convicts are compelled to make up the deficiency which the better off may secure by corrupt means.

(b) Government has in recent years striven to stop corruption in all departments and it is satisfied that the responsible officers of the Jail Department are alive to the necessity of taking all possible steps to stop the evil, provided fully proved specific cases are brought to the notice of the authorities.

## ELECTION OF MEMBERS FOR THE PUBLIC AC- COUNTS COMMITTEE.

The Hon'ble the President.—The Council will now proceed to the election of 12 members to serve on the Public Accounts Committee.

(The ballot papers were filled in and handed in.)

## RESOLUTIONS RE THE CANAL ADMINISTRATION.

The Hon'ble the President.—The Council will now proceed to the consideration of the resolutions on the agenda.

Sayad Muhammad Hussain (spoke in Urdu).—Sir, with your permission I beg to move the following resolution:—

"That this Council recommends to the Government to appoint a Committee consisting of a majority of non-officials to go into details of the grievances of the zamindars as regards the canal administration in the Province, and to suggest measures whereby the complaints of the people against the working of the department be effectively dealt with."

Sir, in the beginning I beg to acknowledge the great benefits which we have received from these canals. Poor zamindars have become rich from them. But, Sir, we have many complaints against the canal administration. I do not mean that the Chief Engineer is responsible. Our deputation waited upon Mr. Ives, who heard us very attentively and we are highly grateful to him. The committee proposed by my resolution will advise the canal administration about removing the following grievances of the zamindars:—

- (1) Zilladars, Patwaris, Sub-Overseers, Pansal Nawis, etc., take

bribes from the zamindars. Formerly they helped the zamindars to be exempted from payment of Kharaba but now they have no power to do so and still they require the poor zamindars to give them bribes.

- (2) The Patwaris are ill-paid, their present pay is less than the pay of an ordinary coolie. Now, Sir, one is at a loss to know wherefrom the Patwari pays for the expenses of his horse, buffalo and cow. Every Patwari takes from each zamindar Re. 1 or Rs. 2 per harvest for one square of land, and he thinks it to be his *azq* (rightful due). Moreover, the Patwaris create disputes regarding water-rights between the zamindars and then take large amounts of money from them.

- (3) Zamindars often feel a good deal of trouble regarding the proper distribution of water. Those who make payments to Zilladar get water but others remain without water and their harvest is ruined.

As to the personnel of the proposed Committee I submit that  $\frac{2}{3}$ ths of its members should be non-officials elected from among the agriculturists or non-agriculturists members of this Council and the remaining  $\frac{1}{3}$  members should be nominated by Government. The function of the Committee would be to hear the grievances of the zamindars and to bring those grievances to the notice of the officer concerned and to advise him as to the remedy. There are many intricate points in the rules, which an ordinary zamindar cannot understand, and this Committee will see that the zamindars are not put to any trouble on account of their being unacquainted with the rules. This Committee will also advise Government as to warabandi, so that all the zamindars may have an equal quantity of water.

I again take the opportunity of thanking Mr. Ives, for the kind attention which he paid to the suggestions brought to his notice by our deputation.

**Mian Ahmad Yar Khan, Daultana.**—Sir, I do not think it is an exaggeration to say that the one thing that has made the position of our Province enviable and its prosperity certain is the vast net work of the canals that irrigate our lands. In spite of the great good that these canals have done to the zamindars, there is a complaint about the distribution of water among the people of this Province, and I think it is due to the carelessness and want of honesty on the part of small servants of the department. I have received many letters from my constituents of Kabirwala Tahsil asking me to make some arrangements to improve the system of water distribution which, though quite sufficient to irrigate the whole area, is always complained of in some particular cases. The resolution now brought forward by my friend will go a long way to redress the grievances. I think a Committee specially appointed to consider the whole question will be useful to a very great extent. My friend has dealt with this question very elaborately and has left very little for any of us to say anything further. With these few remarks I beg to support the resolution very very strongly.

**Mian Muhammad Shah Nawaz,** speaking in Urdu, said that the question was whether there should be one committee for each system of irrigation channels or one committee for all the systems. He thought that one committee for all the systems would be more suitable. He expressed himself as being very desirous of seeing the system of canal irrigation perfected as much as possible and gave his entire support to the resolution of Sayad Muhammad Husain.

**Rai Bahadur Lala Hari Chand,** who spoke in Urdu, supported the resolution

and said that the appointment of a committee was absolutely necessary to set right the grievances of the people and to check the evils prevalent in the departmental administration. He referred particularly to the checking machines, which had been set up in certain areas, and said that they were a cause of much trouble to the users of canal water. They augmented the power of the Sub-Overseers and Mistris in charge of the machines, inasmuch as they could so regulate them as to cause a big or a small flow of water as it suited them, thus causing great inconvenience to those people who were not in their good books. He therefore urged that Sub-Divisional Officers and Executive Engineers should look more carefully into the working of these machines and examine all complaints made. He thought that there should be a committee for each separate system, but if there was only going to be one committee then he would have representatives on it from all branches of the Canal system.

**Mr. P. J. Fagan.**—Sir, in the unavoidable absence of Mr. Ives, the Chief Engineer, it has rather unexpectedly fallen to me to deal with the present resolution on behalf of Government. I may begin by saying that it was a pleasure to hear the generous tributes which have been paid by various members to the great and splendid work which the Irrigation Department has done in this Province. With that tribute I know that the Government fully associates itself, and it is in that light that it desires to consider and deal with this resolution. I may say at once that Government is in entire sympathy with the motive spirit which has prompted this resolution. It fully recognizes the all-important part which canal irrigation plays in the every day life of a great portion of the zamindars of this Province; and it is one of its most persistently pursued objects to improve the system of irrigation, and, as far as is humanly possible under the conditions of this

County, to remove difficulties and the grievances with which the irrigator meets.

Before stating more precisely the position which Government desires to take up with reference to this resolution, it will perhaps be desirable for me to deal with a few of the points which have been raised, and which in their compass range over to whole question of canal irrigation as carried on in this Province. It is of course quite impossible for me to deal in any thing like detail with all those points. The main burden, I think, of the criticisms which have been made is based on the prevalence of corruption amongst the subordinates of the department. Sir, the first and obvious remark is that unfortunately under the prevailing conditions the Irrigation Department has no monopoly of corruption. It has to be freely admitted that it exists in that department, but at the same time I suppose there will be general agreement in the view that it prevails also in other departments—Revenue, Judicial, Police, and I need not name others. It is a sad confession to have to make—especially sad for an officer like myself, who during a long period of service, now rapidly drawing to a close, has been brought face to face with it on many occasions. I speak not only for myself, but I know that the experience of numberless other officers has been the same. We have devoted a very considerable portion of our service to combating this all-prevalent evil. But, Sir, the one great difficulty which we have met with in trying to combat it—with whatever success—has been the inertness of public opinion on the subject. Complaints are numerous, not a few of them unfounded, while some on the other hand turn out on investigation to be well established. But what we have all along felt is that there is no spring in public opinion in dealing with this great matter. One often feels that if a fraction of the energy which is devoted to criticising Government for the prevalence of this

evil were devoted towards practically organizing public opinion against it, the results would be great, and, comparatively speaking, immediate. Let the Council consider what would be the effect of an association established with a view to bringing social pressure—even exercising social ostracism—against the notoriously corrupt official. After all a bribe taker necessarily involves a bribe giver, and from the prevalence of bribe taking and the number of bribe takers one may infer with some confidence the number of actual or potential bribe givers. And so long as the public regards the giving of bribes from a lenient point of view, so long as the efforts of Government, vigorous and persistent though they may be, will never attain that degree of success which is so eminently desirable.

Now, Sir, there are various criticisms made by Mr. Shah Nawaz. He mentioned the subject of outlets. Well, Sir, the subject of outlets is one which has engaged the attention of the Irrigation Department for a large number of years. Various plans have been devised and attempted, but, so far, I understand, the general conclusion is that no outlet can be devised which is beyond the reach of being tampered with by the cultivators. A certain amount of benefit has been derived from these devices, but after long experience it has been found that very much depends on the honesty of the persons to whom the water is given. He said a good deal about the confusion which takes place in the working of the arrangement which is known by the name of 'warabandi.' It must necessarily be admitted that such cases do occur, but so far as my knowledge goes the officers of the Irrigation Department do their best to see that the 'warabandi' prescribed is carried out with as great a degree of fairness to all concerned as is possible.

Then he said a good deal about the working rules of the department. Well these statutory rules are made under the Northern India Canal and Drainage Act. They are notified in the Gazette and the

usual formalities are observed. They are published just in the same way as other rules made under statutory authority, and we may hope that with the spread of education and general public enlightenment the complaints, which the member made as to the ignorance of zamindars regarding these rules, will gradually be removed.

He also mentioned the subject of water-logging. I think he instanced the case of the tract near Hafizabad; but he did not mention the fact that for a long time past the Irrigation Department have been undertaking, with considerable success, measures to cope with the trouble in that particular part. I may also say that a Drainage Board has recently been created whose special duty and function it will be to deal with that case and similar cases in other parts of the Province.

Then he suggested that Government's rate of profit on capital invested in canals should be limited. This opens up large questions of financial and fiscal policy with which there is scarcely time to deal with to-day. But the general principle is that the canals of the Province in this respect have to be pooled and their combined return considered, and if that is done, the rate of profit is nothing like so great as Mr. Shah Nawaz suggests to the Council. Well, Sir, I do not think there are any other points which I need mention. In fact, there is no time to do so and full discussion would require a very considerable time. It remains for me to indicate the general position which Government desires to take up with reference to this resolution. As I have already said it is in full sympathy with the spirit in which it has been moved. At the same time it is necessary for me to say that though the Hon'ble Mover himself carefully avoided suggesting any interference with the working of the department, still it is desirable in order to avoid any possible misunderstanding that the position of the Government on that point should be made absolutely clear. Government is not prepared to surrender in any way the administrative working of

the Irrigation Department into the hands of a Committee such as that proposed, nor does it desire in view of its opinion of the good work of the department to cast a slur on it or even to appear to do so. I fully recognize that the Hon'ble Mover has no such intention in his resolution, but still it is necessary that on these matters there should be no possibility of misunderstanding. Subject to these remarks I am authorized to say that Government is perfectly prepared, in the words of the resolution, to appoint a committee, the majority of whom should be non-official, in order that that committee may advise Government and its departmental officers on all matters which involve grievances in connection with questions of principle and practice as regards canal irrigation as carried on in this Province. It would indeed not be possible for a committee of that sort sitting in Lahore to deal with individual grievances in particular instances, but such individual grievances in particular instances would be dealt with as instances of grievances in matters of practice and principle. Subject to these remarks Government is quite prepared, as I have said, to accept this resolution to the extent of appointing a committee whose function would be advisory and at the same time representative in matters relating to irrigation grievances. Government will be fully prepared and not only fully prepared but it will gladly welcome practical suggestions from such a committee with a view to remedying as far as possible grievances in regard to the practice and principles on which irrigation is conducted in this Province. I trust that these remarks will satisfy the Hon'ble Mover and his friends and that he will realise that Government is quite prepared to deal with the subject matter of his resolution in a spirit of complete reciprocity and sympathy with the object which he has in view.

Sayad Muhammad Hussain, who spoke in Urdu, said he agreed with Mr. Fagan that the function of the committee should be advisory. The committee should not in any way interfere with the



administrative working of the department. He hoped that the advice given by the committee would not be given in vain. The committee would of course draw the attention of Government to particular persons against whom complaints of corruption existed.

**Mr. P. J. Fagan.**—There is not the least intention of refusing to hear any complaints of any kind. What I meant was that, by accepting a committee of this kind, Government does not wish to convey the idea that it distrusts the department as a whole, or that it wishes to place any slur or stigma on the department and its working as a whole. No doubt full opportunity will be given to the committee to ventilate any grievances relating to corruption.

**Sayad Muhammad Hussain.**—I do not wish to cast any aspersion on the department as a whole. I simply want the committee to right some defects.

**The Hon'ble the President.**—You are both in agreement on the point. Need the debate be continued?

**Mr. P. J. Fagan.**—The resolution has been accepted. There is no necessity for any further discussion.

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Mr. President, with your permission I should like to make a few remarks only, because many of the objections which have been raised by members of the Council to-day have been met by Mr. Fagan. I only wish to make a few remarks which, I hope, will not take many minutes.

Speaking in Urdu, he said Government accepted the resolution. A committee would be appointed, and he would be glad to see all the objections made during the debate removed. As Mr. Fagan pointed out, Government did not wish, by appointing this committee, to put any kind of slur on the department as a whole.

As to corruption, he said it was being encouraged by the zamindars themselves. For their own benefit they bribed the

officials. It was in the hands of the people themselves to stop all sort of corruption.

He had taken a note of all the suggestions that had been placed before the Council and he would be glad to take them into consideration.

**The Hon'ble the President.**—The motion before the Council is—

That this Council recommends to the Government to appoint a committee consisting of a majority of non-officials to go into the details of the grievances of the zamindars as regards the canal administration in the Province, and to suggest measures whereby the complaints of the people against the working of the department may effectively be dealt with.

The motion was put to the Council and carried unanimously.

## RESOLUTION RE LEGISLATION FOR THE ELECTION OF MEMBERS OF DISTRICT BOARDS.

**The Hon'ble the President.**—The next resolution is in the name of Sardar Jamal Khan.

"This Council recommends to the Government to provide by legislation that all members of district boards be elected and not nominated."

**Sardar Jamal Khan**, who spoke in Urdu, moved the resolution and said he would not like to take much time of the Council as the matter was a clear one. A district board could be described briefly as a miniature legislative council. At present all members were nominated by the Deputy Commissioner. He was at a loss to understand why, when they had been given a right to vote on the expenditure of the whole Province, they were not at liberty to utilize the district board funds according to their needs.

There was an amendment to this resolution, and he would welcome it. He had no hesitation in accepting it.

**The Hon'ble the President.**—I call upon Lala Atma Ram to move his amendment at once. I think it is only a matter of form.

**Lala Atma Ram.**—Sir, I beg to move my amendment to the resolution moved by Sardar Jamal Khan that after the words "to provide by legislation that all" the word "non-official" be inserted. The resolution after amendment will run as follows:—

"This Council recommends to the Government to provide by legislation that all non-official members of district boards be elected and not nominated."

My reasons for inserting the word "non-official" are that, if the resolution, as is proposed by Sardar Jamal Khan, be carried, it will prevent officials from coming in, and I am afraid certain public departments will remain unrepresented. By this amendment I do not mean to encourage the official element in the district boards. What I mean is that some officials must in the interest of the public continue to be members of the district boards in order to represent certain departments. If the District Inspector ceases to be a member of the district board, there will be no one to represent education.

Similarly, if the Civil Surgeon ceases to be a member there will be no one to represent the dispensaries, and the result will be that the cause of the public will suffer. It is therefore necessary that we should define the word "members" and add the word "non-official" before the word "members."

With these few remarks I hope that the members of the Council will support my amendment.

**The Hon'ble the President.**—The motion before the Council is that the word "non-official" be inserted before the word "members."

The motion was carried.

**The Hon'ble the President.**—The motion now before the Council is that

this Council recommends to the Government to provide by legislation that all non-official members of district boards be elected and not nominated.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain**, who spoke in Urdu, said that he had every sympathy with the spirit of the resolution, but he thought that, as Local Self-Government had only just been transferred to them, they ought not to be in a hurry to decide a question like this. The present time was specially inopportune inasmuch as the Government hoped in a very short time to bring in a Bill to amend the District Boards Act, when all these questions could be more thoroughly considered in all their bearings. The mover of the resolution came from a district where no member of the district board had ever been elected, and it was a matter of surprise that he should be the first to raise so big a question as that involved in the resolution, which would make all members elected. Further, communal interests had in many places to be safeguarded, as in many districts particular communities had a great preponderance over others, and the results would be, if the present resolution was carried, that all the members would belong to that particular community, thereby leaving many minorities entirely unrepresented. He, therefore, in view of the fact that the District Boards Act was shortly to be amended, when all these questions would be considered, urged the mover to withdraw his resolution and leave the matter to be discussed by the Select Committee which would be appointed to consider the new Bill.

**Maulvi Muharram Ali, Chishti.**—May I ask when the revision of the District Boards Act will be taken up and presented to the Council?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—It is hoped that the revised Bill will be placed before the Council during the next session, which it is hoped will be held during the summer months.

Rai Bahadur Lala Sewak Ram, who spoke in Urdu, said that in the light of the statement made by the Hon'ble Minister for Education, he requested the mover to withdraw his resolution.

Sayad Muhammad Hussain, speaking in Urdu, said he supported the resolution and urged that it be not withdrawn. He was much disappointed by the statement made by the Hon'ble Minister. Local Self-Government had been transferred to the representatives of the people, and they should exercise that power to the limit of their ability in order to train themselves for bigger affairs. It was no argument to urge that, because the mover of the resolution came from a district in which there were no elected members on the district board, he should not therefore desire to introduce the elective principle there. It seemed to him all the more reason why they should press this resolution relieved.

Mian Muhammad Shah Nawaz, spoke in Urdu and said that Hon'ble Khan Bahadur Mian Fazl-i-Husain had remarked that the Council was yet in its infancy, and that it should take no hasty steps. There was no doubt that the Council was a new one. It was a pity that it did not come into existence 20 years previously. None the less the members of the Council were men of experience. There was no reason why the district board of Dera Ghazi Khan should not have all the members elected, as that district had two representatives on the Legislative Council. The district boards of Mianwali and Muzaffargarh had got an inadequate number of elected members, but the time had come that all the members should be elected members and the system of nomination should be stopped. The system of nomination was a bad one and he supported Sardar Jamal Khan.

Maulvi Muharram Ali, Chishti, spoke in Urdu. He remarked that his sympathies were with Sardar Jamal Khan. On the other hand, owing to the assurance

given by the Hon'ble Minister for Education that a Bill concerning the point under discussion would be brought before the Council during its next Session, he was of opinion that Sardar Jamal Khan should wait for two months. There was no need to dwell any further on the resolution as the Government was itself prepared to take proper steps within a short period.

Sardar Jamal Khan—Sir, after hearing these arguments, I beg leave to withdraw my resolution.

The resolution was by leave withdrawn.

### RESOLUTION REGARDING THE EDUCATION OF CHILDREN OF THE ZAMINDARS.

Khan Sahib Chaudhri Fazl Ali moved the following resolution in Urdu:—

"This Council recommends that, where a reasonably large number of the zamindars of the district request the Government to collect from them with the land rent a certain sum at each harvest for a certain period for the education of their children, and to hand over the sum thus collected to any association which might have under its control one or more girls or boys schools in the district, the Government, in compliance with such requests, may be kind enough to collect the sum and hand it over to the association, provided that the school or schools, as the case may be, is or are working efficiently, has or have a curriculum really beneficial for the zamindars and a managing body truly representative of the zamindars of the district, and in the case of boys' school only has or have agriculture as a compulsory subject."

Khan Sahib Chaudhri Fazal Ali in moving his resolution said that his motion would attract the interest of all those who had some connection with the rural population which formed by far the greatest proportion of the total population of the Province. Almost the whole of the rural population was ignorant, and without

education no man could claim to be a man. Without education no progress was possible in the world. They should teach the zamindars to stand on their legs, so that they might be able to occupy the position which they should, as men, occupy in this world. The zamindars were prepared to pay petty contributions, if the Government cared to collect them along with the land revenue. He did not suggest that a new tax should be imposed on the zamindars for imparting elementary education to their children. On the other hand, he simply asked the Government to collect money from those zamindars who would be willing to pay what they would and spend that money on the education of their children.

Sayad Muhammad Hussain, who spoke in Urdu, opposed the resolution. The best way to secure education for zamindars was that compulsory elementary education should be enforced in district board and municipal schools, and that Government should be asked to extend primary education as far as possible. The Department of Education was a transferred subject, and therefore they could approach the Hon'ble Minister for Education with the request that primary education should be made compulsory in all aided and district board and municipal schools. The resolution was not understood by him, and was not, in his opinion, necessary at all.

Mr. K. L. Rallia Ram, who spoke in Urdu, said that there was a great need of primary elementary education in this Province. He quoted some figures showing the percentage of literacy in several other countries and compared them with the very small percentage obtaining in India . . . . .

The Hon'ble the President.—I cannot allow the member to discuss the general question of the spread of vernacular education. He must confine himself to the resolution before the Council.

Mr. K. L. Rallia Ram.—He could not support the scheme put forward as it was impracticable. Zamindars

were already paying sufficient taxes, and it was the duty of district boards to provide primary education and to spend at least 18 per cent. of their income on it. It was the duty of the district board members to popularise elementary education among the masses. After that was done it would be easy to make primary education compulsory.

Sardar Raja Singh, speaking in Urdu, said that he did not support the mover of the resolution. There was great need to educate the rural population, but the zamindars were not ready to pay any more taxes.

The Hon'ble the President.—Does any member wish to speak in favour of the motion ?

Sardar Kharak Singh spoke in Urdu, and supported the resolution, saying that zamindars were not ready to pay big sums, but they could easily subscribe petty contributions if Government only cared to collect them. Such sums could be collected along with the revenues and could again be distributed according to the instructions given by the subscribers.

Rai Bahadur Lala Sewak Ram opposed the resolution in Urdu. It was not the business of Government to collect subscriptions. This work could easily be done by private institutions. If Government undertook that work, it might as well be requested by a *sahukar* to recover his debts from his debtors.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain spoke in Urdu. He said that he had full sympathy with Khan Sahib Chaudari Fazl Ali's resolution, but its wording was not such as to allow him to accept it. The words "a reasonable large number of zamindars" were not such as could easily be interpreted, as they did not indicate whether they meant 60 per cent., 70 per cent. or 80 per cent., and it was also not clear whether that percentage was to be calculated on the number of men who paid land revenue or on the population of a village. The resolution ran that money should be collected from those zamindars who had expressed their

willingness to subscribe, but people were ready to make promises, but hesitated in fulfilling them. It was inadvisable to collect subscriptions through Patwaris. He therefore requested the mover to withdraw his resolution. He, however, assured the mover that if 70 or 80 per cent. of the revenue-payers of a village showed their readiness to give subscriptions, Government would possibly allow its collection keeping in view all the circumstances.

**Khan Sahib Chaudhri Fazl Ali** replied in Urdu.—His resolution did not propose forcible subscriptions. Zamindars were ready to subscribe for elementary education for their children. At the same time, in view of the discussion, he asked leave to withdraw his resolution.

The resolution was by leave withdrawn.

### RESOLUTION REGARDING THE REVISION OF THE DISTRICT BOARDS ACT.

**Mian Ahmad Yar Khan.**—Sir, the resolution which I have the honour to move runs thus:—

“That this Council recommends to the Government that steps be taken to get the District Boards Act and the rules thereunder revised with a view to develop self-Government.”

Sir, in spite of the sceptic declarations on the part of a class of people, I have firm confidence that the British Government in India have, since an early date in the history of their administration, been pursuing a policy by which India may be able to develop a sense of self-Government and realize this glorious end one day. The Montagu-Chelmsford Reform Scheme which has been given practical shape in this Province by the inauguration of the present Council is a great step towards this end. I may be allowed to say that the intention underlying the scheme will not be given full effect to if we did not take measures to carry these reforms to the outlying dis-

tricts of this Province and widening the scope of its benefits. It is therefore essential that the District Boards Act and the rules thereunder be thoroughly revised and overhauled. The elective principle has been given preference over that of nomination, as far as I could gather from the sense of the Council this morning. By this a great and long-felt want has been impressed upon the Government, but if the District Boards are still to be under official control, I do not think this end will be attained. I am sure as the district officers are already overworked they would, to meet the new spirit of reform, be only too ready to hand over charge to non-official Presidents. I think wherever it is advisable and convenient people should be encouraged to elect their own non-official President.

I would also propose that a Central Board may be formed at the capital of the Province under the Minister in charge to supervise the work of the various district Boards and to serve as a connecting link. The district boards should be given powers to raise funds to carry out their schemes for education, sanitation and communications by methods approved by the Central Board, and should be at liberty to utilize those funds. Fortunately, in our Minister in charge of this department we have a person eminently fit to revise the Act and to formulate a new one.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain, speaking in Urdu, said that, as he had explained to the Council this morning, the Government had under contemplation the complete revision of the District Boards Act and hoped to present it to the Council soon. The question of extending the elective principle to those places where nomination was still the practice was already under the consideration of Government. And as regards the question of having non-official elected Presidents, this also was being considered. It was also the intention of Government to enhance the powers of District Boards in regard to the raising

of funds and their application, and also in regard to their authority over District Board employes. All these matters would be taken into consideration when the new Bill was presented to the Council, and in order to avoid any subsequent alterations and amendments he hoped that members would cooperate with him and assist him with their advice in dealing with this difficult and complicated matter. The Government had no objection at all to accepting the principle involved in this resolution, but in view of the proposed revision, he hoped it would for the present be withdrawn.

**Mian Ahmad Yar Khan, Daultana.**—After receiving the assurance given by the Hon'ble Minister in charge, I do not wish to press my resolution and beg leave to withdraw it.

The motion was by leave withdrawn.

#### RESOLUTION REGARDING MODIFICATION OF NOTI- FICATION ISSUED UNDER THE SEDITIOUS MEETINGS ACT.

**Diwan Bahadur Raja Narendra Nath.**—Sir, the resolution which I am going to move is as follows:—

"In case it is intended to continue longer the prohibition in certain areas against public meetings under the Seditious Meetings Act, this Council recommends to His Excellency the Governor in Council to modify the notification hitherto issued under the Act so as to exempt all meetings held for the purpose of discussing matters coming up before this Council, the Legislative Assembly and the Council of State."

The Seditious Meetings Act was passed in 1911. It replaced two former Acts, the Act of 1907 and the Continuation Act of 1910. Even at the time when the Act of 1911 was passed, there was considerable opposition on the part of the non-official members of the Imperial Legislative Council. My

resolution embodies a very moderate and modest request. The demand outside this Council is much greater. The Vernacular Press says that other Provinces are able to carry on the administration whilst outbursts of a much more violent character than have occurred in the Punjab are happening, and there is no reason why Punjab should be subjected to restrictions. The English Press—I mean the Press controlled by Indians—has given expression to the opinion that the right of public meeting is an inherent right of free citizens, and that the Executive ought not to interfere with it. I think, Sir, that what I have suggested is reasonably moderate, and I hope Government will not have difficulty in accepting it. We are at the commencement of a new era, and in the words of a high authority, Lord Chelmsford, the time of autocracy has ended and that of democracy has begun. Now the two essential features of democratic Government are that it is a Government by discussion, and, secondly, it is a Government by the people through their representatives. Whilst listening to the discussion on the Budget, I was reminded of Sikh history and the way in which the Budget was passed in Sikh times. In those times there was one Diwan who prepared the Budget and who had it passed by the Maharaja himself. We had in this Assembly 73 Diwans discussing the Budget and exercising their right of voting grants.

The second feature is Government through representatives elected by the people. People cannot come themselves in large numbers to discuss political matters. They elect representatives who have a voice in administration. It seems to me to assume an inconsistent position to prevent people from expressing their voice directly on matters which they are allowed to discuss through representatives. The Press no doubt exists but the Press does not express all shades of opinion. At the same time the Press has its own drawbacks. I read some time ago about editorial "We" representing the Editor and his conscience. There



can, however, be no denial of the fact that what is represented through the Press is the editor's view of what he considers the public opinion to be. The best way of ascertaining public opinion is to allow people to express their opinion directly. Some members will object to the exemption on the ground that exemption will be abused, but I would say that abuse is also possible on the side of authorities in using the law as it exists. One instance of abuse of authority under the Seditious Meetings Act came to my notice lately which happened in a neighbouring district. The District Magistrate prevented a meeting which was of a purely communal character. If, in the exercise of authority under the Seditious Meetings Act, this sort of abuse can be risked, I do not see why the abuse on the other side cannot be allowed. The question is one of a comparison of evils. Should the Government adopt an inconsistent position or should they risk the abuse and cure it by prosecution if necessary afterwards. It seems to me that the latter course is more reasonable to adopt. To those who are not satisfied with the modest request which I have made, I would refer to what happened in the Council of State on a resolution moved by the Hon'ble Mr. Shastri. He is a publicist of long standing and a moderate. He moved for the appointment of a committee to consider all repressive laws. In his speech he divided repressive law into three classes and put the Seditious Meetings Act in the last category which did not require immediate repeal, but which needed amendment. Now I think, Sir, that the line on which I want exemption—exemption which is permitted by the Act indicates to a certain extent the line which amendment of the Act is likely to take: and if this Council supports me, it will simply be anticipating a course of change in the law which is likely to happen. I do not consider it necessary to say anything more, and I had better conclude with a quotation from a sermon delivered by the Metropolitan of India at Delhi—"The world

advances and time outgrows the laws which in our forefather's times were the best."

Khan Bahadur Rai Wali Muhammad Khan, speaking in Urdu, said.—The resolution moved by Diwan Bahadur Raja Narendra Nath is likely to interfere with the smooth-working of the Government. The principle reason for the prohibition in certain areas against public meetings under the Seditious Meetings Act is to give no opportunity for mischief-making to persons evilly disposed towards the Government. Further, it is intended to save the public from breaking the law, inasmuch as the masses are liable to be excited by the inflammatory speeches of the agitators.

The Council will be discussing all sorts of questions, and if permission is granted for holding public meeting and of criticising matters, which will be coming up before the Council for discussion, evil-minded persons will certainly abuse the liberty thus granted, and they would try to introduce irrelevant matters into the subjects under discussion. The result would be that Government would be obliged to institute cases against such persons, and this would increase the indignation amongst the masses.

The matters which come up for discussion before this Council are published in papers, and if the people wish to express their feelings upon such questions they can do so through their representatives or by sending memorials to Government. It would be inexpedient to allow the people to hold meetings, inasmuch as such meetings will augment the trouble. The prohibition against the holding of public meetings is temporary, and it is to be hoped that Government will soon see its way towards removing the restrictions in question.

Sardar Raghbir Singh, speaking in Urdu, supported Diwan Bahadur Raja Narendra Nath. As the Seditious Meetings Act was in force, the members of the Council were not in a position to know fully the ideas of their voters, as they could not hold meetings and exchange their views with them.

Sardar Sangat Singh spoke in Urdu, and said.—Owing to the promulgation of the Seditious Meetings Act, the members of the Council cannot adequately represent their constituencies. Although we take great care to represent the country and more specially the voters who have elected us, yet it is an open secret that on certain questions we cannot know their true feelings, and thus the object, which the people had in view, in sending us to this Council as their representatives, remains unfulfilled. Sir, we don't pretend to be all knowing, and as such we cannot interpret the feelings of the people as adequately as their own tongue does. In the presence of the Seditious Meetings Act there are only two ways in which we can find out the opinion of our constituents, *viz.* by seeing them and by corresponding with them. In my own constituency there are as many as eight thousand voters, and they are scattered all over the villages of the Lahore District. It is almost impossible for me to see or correspond with every one of these voters for the purpose of learning their opinions on the important questions which are discussed here in this Council. And, if I do not care to know their opinions, I should in that case not only fail to do my duty as their representative but would also lose the confidence which the voters reposed in me by electing me as their representative. And as the people are not allowed to express their views, there is the danger that we might decide something in the Council, which is opposed to the wishes of the public and which is likely to cause excitement amongst the masses. Under these circumstances, it would be in the fitness of things to do away with the Seditious Meetings Act, but if it is impossible, we should be given all the facilities for knowing the opinion of the public upon questions which are presented here in this Council for discussion. With these words, I beg to support the resolution of Diwan Bahadur Raja Narendra Nath.

Mian Ahmad Yar Khan, Daulat-  
a.—Sir, I fail to understand the method

and scope of this resolution and the good it is expected to do. If the resolution had expressed a definite intention for the suspension of the Seditious Meetings Act and shown cogent reasons for such suspension, I would have been the first person to stand up and assist the removal of this ban. But I find the conditional clauses in it silently and indirectly puts up with the idea and takes the justification for its continuance as above question. If that is the case, will this resolution do any good. The whole of the Punjab is not a proclaimed area under this Act. Have those districts which are free from any such restriction done anything in the manner prescribed in this resolution towards helping their representatives in the different Councils. If their discussions are not intended to influence our judgment, how are they going to benefit by their deliberations, and if we are to be dictated by any body of men who can arrange to convene a meeting, will we be doing justice to our constituency as a whole. May I go a step further. Should we be ready to sacrifice our individual constituencies and its interests if one of the Hon'ble members succeeds in citing the authority of a gathering, say 10,000 of men, at a certain place and thus influence our judgment. And supposing this amendment is carried, who will make himself responsible for the abuse of such a license. Had the right of public speech been properly used, the Government would never have thought of restricting it. Who can guarantee that the speakers in the meeting proposed in the resolution would not transgress their limits and would not in the heat of discussion of a political problem forget the idea of any such resolution.

The resolution, if carried, will place the Government in an awkward position. They will have to allow such meetings, and if found objectionable, disallow them. This sort of procedure, if adopted again and again, will only cause a tension between the Government and people which should be far from what we propose to effect at least in our own Province. I would beg to oppose the resolution, firstly,

because it proposes such an impracticable amendment in an Act which but for being a necessary evil ought to have been out of our statutes books long ago and, secondly, because it will be recorded for a precedent and many an error by the same example will rush into the State.

**Mian Muhammad Shah Nawaz**, who spoke in Urdu, supported the resolution of Diwan Bahadur Raja Narendra Nath. He had anticipated no opposition to the resolution. Unfortunately this was not the case. The resolution had been opposed by members who represented the districts where the Seditious Meetings Act was not in force. How could those, who were not in trouble, realize it fully. They ought to understand fully that such an exception should be made. He himself had encountered great difficulty in a matter which he had to bring before the Council. He could not successfully get it through because he did not know what was the general opinion on it. He asked if it was proposed to repeal the Land Alienation Act, would it not be necessary and urgent for the zamindars to come together and hold a meeting to protest against such a proceeding. It was absolutely necessary that meetings in regard to all matters concerning Councils should be exempted from the operation of the Seditious Meetings Act. Moreover any opposition to the resolution would give strength to the non-co-operators. It was already said that members in this Council were not the representatives of the people. If no meetings could be held in regard to matters to be discussed in these Councils, then there would be no reality in these Councils. The Act was meant to be applied only in very abnormal times, and the present times could not very well be described as abnormal. He strongly appealed to the Government to accept the resolution of Raja Narendra Nath, who had made a very moderate request.

**Mian Ahmad Yar Khan**.—Sir, I just want to say a word by way of explanation. If this resolution is carried, the Government will have to allow some meetings to be held, and if the conveners exceed the limits of discussion proposed

to be allowed by this resolution, Government will have again to enforce this measure. It may easily happen that in the heat of discussion speakers may go beyond the limits imposed, and as the Act will still be in existence, Government will be bound to take steps. It has to be remembered that the mover of the resolution has not asked for the suspension of the Seditious Meetings Act, but has proposed an amendment of the Act.

**Pandit Daulat Ram, Kalia**, who spoke in Urdu, said that it would have been as well if the mover of the resolution had stated the causes which led the Government to impose the Seditious Meetings Act in certain areas. The members would remember the issue of the King's Proclamation of the 23rd December 1919 granting an amnesty to most political prisoners and appealing for moderation and co-operation. Thereafter the Government issued two *communiqués* pointing out to the people the necessity for moderation in public speech and enumerating instances where speakers had obviously exceeded the limits of fair criticism. Even after these repeated warnings and appeals many speakers continued to speak in very strong condemnation of Government and indeed in a tone of disloyalty. It was no pleasure to the Government to have to take this step of prohibiting public meetings; they were compelled to do so owing to the exigencies of the situation. He further referred to the strong animus manifested at many of the polling stations during the election times, and he felt sure that all the members would bear him out when he said that the agitation and ill-feeling in the country undoubtedly required Government to adopt some means of checking it. He did not see the necessity for asking for a limitation of the Act for the purpose of discussing matters to be brought up in this Council, as the session was almost at an end and no useful purpose would be served by obtaining such a concession at this stage. Apart from that all meetings were not prohibited. The Deputy Commissioner of a District had full discretion to permit the holding

of any meeting for a lawful purpose. In conclusion, if the resolution was carried, he believed that it would only tend to augment agitation and unrest and might produce a state of affairs leading to anarchy and disorder.

**Maulvi Muharram Ali, Chishti**, speaking in Urdu, said that in his opinion the resolution proposed by Raja Narendra Nath amounted to the total abrogation of the Seditious Meetings Act. Even under the existing Act any meeting could be held with the permission of the Deputy Commissioner for the discussion of all such matters as the mover had in view. He therefore did not see the necessity for this proposal.

There should of course be full liberty of speech, but owing to the non-co-operation movement it was proper for Government to continue the prohibition against public meetings under the Seditious Meetings Act. Moreover, Diwan Bahadur Raja Narendra Nath's resolution did not ask for full liberty of speech. No public man could address a public meeting in the existing atmosphere if he was not a non-co-operator. There was the instance of Mr. Shastri who was not given a hearing at a public meeting. It was useless to remove the existing prohibitions for the time being.

**Mr. Ganpat Rai** spoke in Urdu.—The speaker supported Diwan Bahadur Raja Narendra Nath and said that those who opposed the resolution were doing disservice to Government. The non-co-operators, said the speaker, were lecturing people from house to house and the existing prohibition could not stop their work. In his opinion that prohibition was in a way helping the non-co-operation movement. If the members opposed the resolution, they would be called cowards.

It had been pointed out that there was no subject which could not be discussed in the Council, and that it would mean, if the resolution was carried, that meetings of all sorts would be held, and non-co-operationists would share in the meet-

ings. There was no reason to fear on that score, because the non-co-operationists regarded the members of the Council as unclean people and hated to attend their meetings. He supported the resolution of Raja Sahib.

**The Hon'ble the President.**—Will you reply, Raja Sahib?

**Diwan Bahadur Raja Narendra Nath**—I will reply, Sir, after the Hon'ble the Finance Member has spoken on behalf of Government.

**The Hon'ble the President.**—No, you cannot reply then. You can reply when the debate finishes. Government has the right to speak twice,—once in the discussion, and once before a vote is taken. The Government has the right of last speech.

**Diwan Bahadur Raja Narendra Nath**, speaking in Urdu, said it was quite an inconsistent position which the Government was occupying. It had called the representatives of the people into the Council to share in the deliberations of Government in larger measures, but had not allowed the people to instruct their representatives as to what they really desired.

**The Hon'ble Sir John Maynard.**—Sir, I will begin by assuring the members of this Council that the Government realize that they desire to co-operate with it, and that the Government desires to co-operate with them. Let me also say that I realize fully that there are people on the look out outside to find some occasion for objecting to what this Council is doing or for discrediting this Council as failing in its duty to criticise the Government. I know these things are true; and it is the desire of the Government to make it quite plain in appearance as in reality that the advice and the opinion of this Council is duly weighed and pondered by it. It is the real desire of Government to limit, as far as possible, the operation of all repressive measures. In particular, it has shrunk from extending this particular Act which is now under

discussion, and in the final extension of it to Jullundur, there was a long hesitation, and that hesitation only came to an end when a meeting was held at which there was a direct incitement to the members of a certain local sect to repeat the exploits which had thrown the Province into disorder 40 years ago. In answer to a question by my friend, Raja Narendra Nath, I read to this Council a number of sentences from speeches which had actually been delivered in that district, and I had hoped that those sentences had convinced him of the real danger of allowing such speeches to be delivered in troublous times. I, Sir, and Government would heartily welcome—most heartily welcome—suggestions to which it would be possible to give effect in order to maintain peace and tranquillity in the Province and at the same time to preserve the right of public discussion on which, as has been justly said, rests the true basis of all democratic institutions. But we must look facts in the face, and those who are responsible for the difficult task of maintaining order—and it is a difficult task—among an inflammable population, cannot afford to accept a remedy which to their knowledge would be inadequate for the attainment of the objects in view. If our meetings consisted of men like my friend Raja Narendra Nath, or my friend Mian Shah Nawaz, or even my friend Mr. Ganpat Rai, I think it would be easy for us to do away altogether with the application of the Seditious Meetings Act. But if the members of this Council are going to face facts, they should depict to themselves meetings of a kind very different from those with which we are being familiarized here. They should depict to themselves meetings attended by hot tempered, shouting, angry men, some of whom bring their battle-axes in the sort of way that I would carry my walking stick. I do not exaggerate the situation; but I actually give utterance to an experience of my own which occurred a few days back. That is a possibility which has probably not occurred to the members of this Council. My friend Raja

Narendra Nath has said, why not, when the law is broken, prosecute a particular individual? Is that not sufficient? Can we not do away with this crude instrument of repression and deal with individual culprits? The answer to that is that in most of these meetings it has now become impossible owing to the roughness of the crowd for any one to attend to write down the proceedings. It is, therefore, impossible to produce any evidence that a Court of Law would accept. Those meetings have become so hostile to the representatives of Government that it is virtually impossible for anybody to attempt to write anything down without running the risk of personal violence.

It seems to be supposed, Sir, that this Act absolutely prohibits all meetings. That, Sir, I think was the view which seemed to be held by some of the speakers, and that was quite an erroneous one. It is quite possible for a person who gives notice of a meeting, who desires to fortify himself against the possibility of a charge being made against him of breaking the law, it is possible for him by merely giving notice to the District Magistrate to secure himself against all consequences. If a person gives notice to the District Magistrate, and the District Magistrate does not specifically prohibit the meeting, then there is no breach of law.

Now, Sir, I wish to be very brief, and I come in conclusion to the remedy which has been suggested in this resolution. I listened with very great interest to my friend, Maulvi Muharram Ali, Chishti, and during the first half of his speech I felt that he was giving utterance to sentiments which were very similar to my own. He was perfectly right in pointing out one thing, which is in itself the explanation of my inability to agree with what is proposed. The mover of the resolution proposes out that all meetings held for the purpose of discussing matters coming up before this Council, the Legislative Assembly and the Council of State shall be excluded from the operation of the Act. When I saw that I immediately began to make a careful



examination of the Government of India Act and of the rules of this Council, in order to ascertain what matters are excluded from the scope of this Council, the Legislative Assembly and the Council of State, and after very close and careful examination of the Government of India Act and of the rules of this Council, I came to the conclusion that the only things which are excluded from consideration by these bodies are the relations of the Government of India with Foreign Powers and Feudatory States and matters which are actually under trial before the courts. There is absolutely nothing else which cannot be discussed before this Council. I give you one example. We have recently been discussing in this Council the question of the shrine of a particular community and its management. Now I will ask the gentlemen of this Council to imagine to themselves the sort of meeting which might have been held on this subject by members of that particular community at, let us say, Nankana Sahib on the 26th February last—the sort of meeting which might have been held there to discuss a subject which is quite a proper subject for this Council to discuss,—does anybody think that it would be compatible with the maintenance of

peace and tranquillity of this Province that such a meeting should be held then and there to discuss such a subject.

The Hon'ble the President.—The motion before the Council is that "in case it is intended to continue longer the prohibition in certain areas against public meetings under the Seditious Meetings Act, this Council recommends to His Excellency the Governor in Council to modify the notifications hitherto issued under the said Act so as to exempt all meetings held for the purpose of discussing matters coming up before this Council, the Legislative Assembly and the Council of State."

A division was called for by the mover of the resolution with the following result :—

For the motion	... 10
Against the motion	... 31
Majority against	... 21

The resolution was declared lost.

(The Council adjourned until 10-30 A.M. on the 18th March 1921.)



## PUNJAB LEGISLATIVE COUNCIL

Friday, 18th March 1921.

The Council met at the Council Chamber at half past ten of the clock. The Hon'ble the President in the Chair.

### QUESTIONS AND ANSWERS.

#### HEARING OF CASES BY REVENUE OFFICIALS.

331. Captain Sardar Gopal Singh.—Will Government take steps to prevent the hearing of cases by Revenue Officials when on tour away from headquarters?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Revenue Officers have to tour for the greater part of the winter and for part of summer. In winter at any rate their stay at headquarters is too short to enable them to dispose of all judicial cases pending in their courts. Most of them have to hear criminal cases which cannot be postponed. It is often in the interests of justice that a trial should be held near the scene of the offence or near the land in dispute as the case may be. It is sometimes also to the convenience of litigants that a case should be taken up on tour near their homes. For these reasons it is not feasible to prevent the hearing of cases by Revenue Officers when on tour away from headquarters, but the question will be brought to their notice, and they will be requested as far as possible to consult the convenience of the parties in the matter.

#### SPECIAL AUDIT OFFICERS FOR CHECKING PAPERS OF PATWARIES.

332. Captain Sardar Gopal Singh.—Will Government be pleased to appoint

special audit officers to check the papers of the Patwaris?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Patwaris' papers are checked by Kanungos, Naib-Tahsildars, Tahsildars and the Revenue Assistant and to some extent also by the Deputy Commissioner, the Director of Land Records, and the latter's Personal Assistants. The machinery for supervision is ample and to add any further special staff would be a waste of public money.

#### PUNCHAYATS OF RETIRED MILITARY OFFICERS.

333. Captain Sardar Gopal Singh.—Will Government be pleased to form small Punchayats of retired Indian Military Officers per Zail in each district to settle the case in which soldiers are concerned and bestow some necessary powers on these Punchayats to deal with such cases?

The Hon'ble Sir John Maynard.—Government is not clear as to the precise scope and objects of the Punchayats which are suggested by the questioner. District Soldiers' Boards are now in existence in each district of this Province. Their function is to advise the Punjab Soldiers' Board, which advises on questions affecting the interests of Indian Soldiers and non-combatants after they have left the colours. It is suggested that the questioner should put his proposal before the local Soldiers' Board.

## RAILWAY-TRAVELLING.

**334. Captain Sardar Gopal Singh.**—The Government when answering question No. 40 on 24th February 1921 said that the passengers travelling on footboards are breaking Railway Rules.

Is it not a fact that they are compelled to do so owing to lack of seating accommodation?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The question relates to a matter which is not under the control of the Punjab Government.

## CHINIOT TAHSIL.

**335. Sayad Hussain Shah.**—(a) Is it a fact that Tahsil Chiniot is situated at a distance of 52 miles from Jhang and only 15 miles from Lyallpur?

(b) Will Government consider the advisability of connecting Tahsil Chiniot with the Lyallpur District?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—(a) The distance of Chiniot from Jhang is 52 miles but from Lyallpur it is between 20 and 21 miles, not 15 miles as stated in the question.

(b) In 1913-14 a proposal to transfer the Chiniot Tahsil to Lyallpur from the Jhang District and the Toba Tek Singh Tahsil from the former to the latter was considered but dropped. Owing to the size of the Lyallpur District and the very heavy work involved in its administration the addition of the Chiniot Tahsil to it, as it is constituted at present, would be impracticable.

## IRRIGATION OF MILITARY FARMS.

**336. Bawa Hara Singh.**—Is it a fact that military farms and Government studs are irrigated by canals more copiously than other lands and the out-

lets allowed to the former are bigger in size as compared with those of private landowners in proportion to the area which they irrigate. If so, will Government be pleased to state the grounds of such differential treatment and take a step to remove the grievances of private landowners?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—In general no preferential treatment has been made in the case of military farms and Government studs, but no specific reply can be given unless particular instances are given.

## KASUR-LODHRA RAILWAY LINE.

**337. Bawa Hara Singh.**—Is it a fact that the zamindars are put to inconvenience in disposing of their produce on account of the closing of the Kasur-Lodhran Line?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Zamindars as a rule dispose of their produce to local shop-keepers or dealers or to the agents of big business firms. They do not themselves as a rule send their produce to market by train. The closing of the line, therefore, does not cause much inconvenience to zamindars in disposing of their produce. In other ways, of course, it does cause them inconvenience and it removes an important facility for trade of all kinds. The Local Government would be glad to see the line reopened but the matter is not within their jurisdiction. The matter has been more than once brought to the notice of the Railway Board and it will again be brought to their notice.

## INCREASE OF WATER-RATE.

**338. Rai Sahib Sardar Harnam Singh.**—(a) Is it a fact that the water-rate has been raised this year in several

districts of the Punjab, while the quantity of the water being supplied is less than in past years?

(b) If the reply is in the affirmative, will Government be pleased to state the previous water-rate with the date of its enforcement, the enhanced rate and the name of the districts in which and the date on or from which the new rate comes into force?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The answer to the first part is in the negative, and the second part does not arise.

**839. Rai Sahib Sardar Harnam Singh.**—Is it a fact that the inhabitants of some district have refused to pay the present enhanced rate? If so, will the Government please state on what grounds the people have refused to pay and what is the attitude of the Government towards this movement?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—This question does not arise as the rates have not been enhanced.

#### JUVENILE SMOKING ACT.

**340. Khan Bahadur Raja Muhammad Akbar.**—Will the Government be pleased to say what action has been taken to enforce the Juvenile Smokers Act? How many convictions have been made under it or is the Act so far a dead letter?

**The Hon'ble Sir John Maynard.**—The questioner is referred to the reply given to a similar question asked by Sardar Randhir Singh at a meeting of this Council held on the 5th instant.

#### CRUELTY TO ANIMALS ACT.

**341. Khan Bahadur Raja Muhammad Akbar.**—Will the Government be

pleased to give statistics of the convictions under the Cruelty to Animals Act?

**The Hon'ble Sir John Maynard.**—The figures for 1920 are not available; but there were 1,252 convictions under the Prevention of Cruelty to Animals Act during the year 1919.

#### GIRLS SCHOOLS.

**342. Khan Bahadur Raja Muhammad Akbar.**—Will the Government be pleased to give the number of schools solely for the use of girls? What is the standard of education in these schools and is any technical education imparted in them?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—There are 1,074 schools solely for the use of girls; and of these 9 are high schools, 65 middle schools and 1,000 primary schools.

In some of these schools embroidery, drawn-thread work, lace making and spinning are taught. This list does not include indigenous maktabas, whose number is 723. There are 4 industrial schools.

The Salamatpur (Palwal, Gurgaon District) Industrial School teaches net embroidery, drawn-thread work and other embroideries to a very good standard. The cost of teaching the elder girls is nearly covered by the sale of the articles made in the School.

Khushpur (near Gogra, District Lyallpur) gives good instruction in the lace industry. Beautiful edgings and insertions and indo-laces are made on the Turchon Valenciennes and Bruges pattern by the village girls and school girls. Wages, or rather profits, are shared and this is found to be a great help to the poor families living there. The school is taught by Belgian Nuns.

Lyalpur Aided Schools (Arya and Sikh) take up spinning and made a little *nawar*. They also do several kinds of embroidery.

C. M. S. Mozang Industrial School takes up machine knitting of silk and cotton stockings and receive more orders than they can carry out. There are one or two smaller industrial schools; and at Clarkabad there is good spinning and *nawar* weaving as well as plain sewing and embroideries?

### THE 3RD JHELUM CANAL.

343. Khan Bahadur Raja Muhammad Akbar.—Will the Government be pleased to say what steps have been taken to enforce the scheme for the irrigation from the 3rd Jhelum Canal of the tract north of Khushab?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—The proposal has been sent to the Financial Commissioner for his opinion and the matter is therefore still under considerations.

### SIKH PUBLIC PROSECUTORS.

344. Sardar Bakhtawar Singh.—(a) Is it a fact that there is no Sikh amongst the Public Prosecutors and Government Pleaders in the districts of the Punjab?

(b) If so, will the Government state the reasons?

(c) Will the Government be pleased to appoint Sikhs at the first opportunity?

The Hon'ble Sir John Maynard.—(a) No. Sardar Bahadur Mehtab Singh is a permanent Public Prosecutor.

(c) In making appointments to this as to other branches of the Public Service due regard is paid to the claims of the different communities. But in

a service in which a high standard of professional skill is required efficiency must be the first consideration.

### SUBORDINATE EDUCATIONAL SERVICE.

345. Mr. K. L. Rallia Ram.—Will the Government be pleased to state whether it is a fact that the members of the Subordinate Educational Service are not going to draw the increment according to the revised scale from December 1919 as the members of the Indian Educational Service who do not feel the pinch of hard times as much as the members of the Subordinate Educational Service?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—The answer is in the affirmative. They will draw increments from the 1st October 1920.

### QUALIFICATION OF VOTERS FOR THE LAHORE CIVIL STATION.

346. Mr. K. L. Rallia Ram.—(a) Is it a fact that the qualifications of voters and members for the Civil Station area of the Lahore Municipality are higher than those of the people of the city area?

(b) If so, are not many members of the Anglo-Indian, European and Christian Communities, who would be eligible under the city area rules, debarred from voting and applying for membership in connection with the Municipal elections?

(c) If the answer to (a) and (b) are in the affirmative, will Government be pleased to make the qualifications uniform and equal for all.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—(a) There is no separate Civil Station ward for European British subjects, Anglo-Indians and Indian Christians in the Lahore

Municipal area, but it is the fact that the qualifications of voters for the seats reserved throughout the Municipal area for European British subjects, Anglo-Indians and Indian Christians are higher than those of voters for the seat similarly reserved for Sikhs and higher than those of voters for the seats reserved in various Hindu-Muhammadan Wards for Hindus and Muhammadans.

(b) The answer to this part of the question is probably in the affirmative but cannot be given precisely without a degree of enquiry which it has not yet been possible to conduct.

(c) Government has received a similar proposal from the Municipal Committee, forwarded through the Commissioner. The matter is under consideration, no decision has yet been arrived at.

#### SUBORDINATE EDUCATIONAL SERVICE.

347. Mr. K. L. Rallia Ram.—Will the Government be pleased to state whether it is under consideration that the members of the Subordinate Educational Service are to be given the advantage of the same scale as in the Provincial Educational Service and Indian Educational Service?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—The answer is the same as just given to the question put by the Hon'ble member for the University.

#### FREE QUARTERS FOR MEMBERS OF THE SUBORDINATE EDUCATIONAL SERVICE.

348. Mr. K. L. Rallia Ram.—Will the Government be pleased to state whether it is proposed to consider the proposal of the Central Punjab Association with

regard to the provision of free quarters for the members of the Subordinate Educational Service or in lieu thereof the payment of house rent?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—Attention of the Hon'ble member is drawn to my answer to question No. 57, asked by Pandit Doulat Ram, Kalia, on the 24th of February 1921.

#### SUMMER VACATION IN GOVERNMENT HIGH SCHOOLS.

349. Mr. K. L. Rallia Ram.—Will the Government be pleased to state whether any consideration is being paid to the proposal that all the Government High Schools in the Punjab be closed for full two months in summer as is done in the case of all the Normal Schools in the Punjab and the Government High Model School, Lahore, and some of the private High Schools?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—No such proposal is at present under consideration.

#### SIMLA IMPROVEMENT SCHEME.

350. Khan Bahadur Mir Muhammad Khan.—(a) Will the Government be pleased to state whether the reduction by two lakhs on account of the Annuity Indemnity of the Punjab Government's annual contribution towards the cost of the Simla Improvement Scheme will interfere, any way, with the carrying out of that Scheme in the immediate future.

(b) If so, what steps is Government prepared to take to prevent such an occurrence?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—It is hoped that interference will not be caused.

### LALA LAJPAT RAI AND LAHORE MUNICIPAL ELECTION.

**390. Rai Sahib Lala Panna Lal.—**

(a) Is it a fact that Lala Lajpat Rai applied to have his name entered on the list of voters for the forthcoming municipal election at Lahore, and failed in his application?

(b) If so, will Government be pleased to state the grounds on which the application was refused and whether they will arrange to admit the applicant as an elector as a special case.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—**(a) It has been ascertained that the facts are correctly stated in the first part of the question.

(b) The application was refused because the applicant was ineligible by rule 5 (c) (ii) of the rules governing the qualifications of members and voters of the Lahore Municipality. This rule requires that a voter should have ordinarily resided or carried on business in the ward concerned for the 12 months immediately preceding the first day of December in the year in which the register of voters is prepared or revised. Lala Lajpat Rai had not ordinarily resided in Lahore throughout the period 1st December 1919 to 1st December 1920.

The rules are obligatory and do not provide exemptions.

**Rai Sahib Panna Lal.—**Is Government prepared to relax the rules for such a non-co-operationist?

**The Hon'ble Sir John Maynard.—**I think we must ask the member to give notice for that question.

### MEMBERS ELECTED TO THE PUBLIC ACCOUNTS COMMITTEE.

**The Hon'ble the President.—**I have to announce that the following were

elected to the Public Accounts Committee at yesterday's election:—

1. Mr. Manchar Lal.
2. Malik Firoz Khan.
3. Dewan Bahadur Raja Narendra Nath.
4. Mian Muhammad Shah Nawaz.
5. Chaudhri Bans Gopal.
6. Sayed Muhammad Hussain.
7. Sardar Dasaundha Singh.
8. Sayad Ghulam Muhammad Shah.
9. Mr. Ganpat Rai.
10. Rai Bahadur Lala Sewak Ram.
11. Maulvi Muharram Ali, Chishti.
12. Pandit Daulat Ram, Kalra.

I declare these gentlemen duly elected.

### PROROGATION OF THE COUNCIL.

**Chaudhri Muhammad Amin.—**With your permission, Sir, I would like to know when will the present session of the Council be over?

**The Hon'ble the President.—**I have not yet received from His Excellency any information about this matter. Can you give the Council any information, Sir John Maynard?

**The Hon'ble Sir John Maynard.—**It had been contemplated, Sir, that the session would only last till to-morrow. At that time it was believed that the proposed Ordinance dealing with the question of the management of Sikh shrines would be passed by the Governor-General in Council. It is now understood that there are some difficulties about passing that Ordinance. It is, therefore, possible that the Government will bring forward legislation



before this Council in the present session. It has yet to be decided and it cannot be decided definitely unless His Excellency the Governor returns from Delhi to-morrow. If it should be decided to bring the legislation before the Council, it would be necessary to extend the present session.

However, it would be interesting to know at the present time, if there should be the necessity of extending the present session whether it would be more convenient to continue the business after an interval to allow for the holidays, or whether it would be preferred that the business should go forward without having regard for the holidays.

**Rai Bahadur Lala Sewak Ram**, who spoke in Urdu, said the session had already been a long one, and it would not be convenient to prolong it. Moreover, time was required to consider the legislation which was proposed to be brought before the Council.

**Khan Bahadur Raja Muhammad Akbar Khan**, who spoke in Urdu, said it would be more convenient to continue the session without a break.

**Pir Akbar Ali**, speaking in Urdu, said it would be convenient to continue the session without break.

**Dewan Bahadur Raja Narendra Nath**, who spoke in Urdu, asked for time to consider the legislation which was to be brought before the Council.

**The Hon'ble the President.**—I do not want any debate on this matter. I have asked the Secretary to prepare a list of those who wish a reasonable amount of adjournment and of those who wish to continue straight away. It is in the discretion of His Excellency to decide the matter, but we can ask His Excellency to consider the views of the Council on the point.

**The Hon'ble the President.**—The Council will now proceed to the discussion of the resolutions. I may perhaps inform the Council that **Sardar Dasaundha Singh** has sent an intimation that he will not be present to move his resolution, and **Mr. Ganpat Rai** has informed me that he will withdraw his resolution, as the question involved in it has already been dealt with in a previous resolution decided by this Council. The first resolution will be that of **Chaudhri Bans Gopal**. Then we shall go on straight to **Mr. Moti Lal Kaistha's** resolution.

#### RESOLUTION REGARDING THE INSTITUTION OF AN INDUSTRIAL BOARD AND THE HOLDING OF INDUSTRIAL EXHIBITIONS AND FAIRS.

**Chaudhri Bans Gopal.**—Sir, the resolution which I am going to move runs thus:—“That this Council recommends to the Government that steps be taken through the medium of a special Industrial Board to encourage and promote the manufacture and use of indigenous articles by opening stores and holding regular annual industrial exhibitions and fairs.”

Sir, for the last three weeks this Council has been voting Government grants with nothing less than **Hatim Tai's** generosity and has been scrupulously chary in exercising its newly conferred powers of omission and reduction of grants. The Council so far has been giving and giving and in return wants nothing but good Government peace and order based on the all round contentment and good will of the people. A Government that exists in the interests of the people it rules, always brings real peace, contentment and prosperity.

The popular belief is that Government failed in the past to protect and foster Indian arts and manufactures with the result that they vanished before the strong tide of western commercialism which completely captured the Indian market. India produced enough of necessities and even luxuries of life and there was a time when Indian arts and manufactures flourished and were the admiration of all Europe. Things of fine workmanship and unique design that now meet the eyes of a sojourner now only in the museums or some curiosity shops were manufactured on a large scale and formed once the export trade of India. Mirzapore carpets were at one time admired for their fast bright colour but are now identified with whatever is inferior in the name of dye or design: Aniline dyes and foreign models are responsible for the decline of a trade which gave fair promise of development not many years ago. Many of us still possess those old shawls several generations old, so fine and durable in texture and beauty of work, which are now being replaced by cheap chaddars of machine made yarn that do not last even a decade. All these indigenous industries gradually were strangled by the influx of cheap European productions in the Indian market and the artisans and craftsmen were obliged to leave off their vocations, and in time disappeared or became amalgamated into the promiscuous mass of mill hands in big towns.

The architect that designed and built the wonderful Taj or the Sculptor whose chisel gave us the Dilwara Temples, have disappeared but their works have withstood the ravages of weather and time for several centuries. The sun rays revel to play on the shiny surface of the Taj as perfectly to-day as they did 800 years before.

While with all the scientific knowledge to help our Engineers of the Public Works Department the Council has only the other day voted a sum of Rs. 19,800 for the rebuilding of the Tower of the Medical College only built recently.

From the standpoint of national wealth also, the Government buildings that exist to-day, in the words of Meridith Townsend, are a mass of useless structures, for the builder whose work will last five centuries adds more to the national wealth than he whose work lasts only 50 years.

Sir, there is an Indian saying, *پادشاہ کی طرح بننا*: just as the King is so become his subjects. The void created by the disappearance of our own industries was filled by the vulgar superfluities of European over-production and Indians were obliged to depend for all things on the European manufacturer. We adopted everything European, forgot the art of living and became intellectual parasites in every sphere of life.

Some truly noble Englishmen saw and felt keenly for the physical and intellectual poverty of India consequent on the onslaught of European civilization on Indian and Sir George Birdwood wrote many years ago "Indian native gentlemen and ladies should make it a point of culture never to wear any clothing or ornaments but of native manufacture and strictly native design." Indian leaders of thought also saw the evil and thanks to Lord Curzon's administration which brought into being the *Swadeshi* movement in Bengal for the 1st time.

Sir, there is now-a-days a very wide-spread agitation on foot and all sorts of things are being said. People say and even believe that the Indian cultivator is allowed to live in order to supply cotton to Lancashire and it

is in view of this that growers of long stapled cotton are looked on with favour by the authorities and rewards are given for inducing the cultivators for bringing more area under cotton crop.

The Indian artisan and craftsman has vanished because Government wanted a market for its native manufactures. India suffers commercially because the Indian Government is unable to dissociate itself from the commercial aspirations of the British nation and that politics and commerce are blended together in the Governmental policy.

That if the Indian interests were dear to the Government then the people would not be taken to do what it was the duty of the Government to do.

Sir, this sort of propaganda is disturbing the internal peace, good-will and contentment of the people and with that is undermining that faith in the justice of the British Government which has become proverbial and is the mainstay of the British Raj.

My resolution, Sir, if the Government welcomes it earnestly, will contribute to a great extent to renovate that faith. My English masters have taught me that "practice is better than precept" and I would urge the same dictum on the attention of the Government. If there is any means to counteract the non-co-operation movement it will be by adopting practical measures on a large scale to assure the public of its good faith. The resolution, I now move, Sir, being a practical measure, is calculated to be more effective than all the literature our Publicity Board may issue.

Remembering, Sir, that after all the elementary principle of statecraft is that men are of more account than things and that the goal of all material civilization is not labour but leisure and that industry without art

only brutalizes and degrades, I would appeal to the Government and appeal vehemently that Government should make superhuman efforts to revive Indian art and manufactures and earn the gratitude of Indian nation. Let every penny that can be spared be employed to check the evils incidental to the spirit of Industrialism and to foster a healthy love of Indian art and industry.

India is unable to compete with Europe on a basis of cheapness. German articles during the war time were replaced by even worse Japan ones. The Government should remove this helplessness and enable us to compete on a basis of quality. Civilization consists not in multiplying the quantity of our desires but in the refinement of their quality. My resolution, Sir, is calculated to some extent to promote a civilization of this character.

Let the Government institute rewards on a large scale to encourage the craftsmen, let exhibitions and fairs be held in every district under Government orders and supervision and a good deal would be achieved in this respect and the Government will not be the poorer for spending what it can on the revival of indigenous manufactures and promoting their use among its subjects.

Open public agitation in this respect is a proof that people have still faith in England and Englishmen and hope still to get justice. Pay due regard to the agitation and the grievances complained of and remove them. Fortunately under the new Reforms we have at the helm of affairs a gentleman of experience who would leave no stone unturned in making practical the recommendation contained in my resolution and now I would take my seat and hope that the resolution would be unanimously carried.

**Rai Sahib Lala Panna Lal**, who spoke in Urdu, said that Government issued a paper about the development of industries, and it would have been better for Chaudhri Bans Gopal to have contributed his articles to that paper and also to have studied that paper. It was not befitting always to accuse Government. The public should learn to stand on its own feet. Government had just employed two or three Assistant Directors of Industries, and after seeing their work for at least 6 months, the public could judge whether Government was or was not taking steps for the development of Indian industries.

**Lala Atma Ram**.—I support the resolution of Chaudhri Bans Gopal. In doing so, I may say, Sir, that the industrial regeneration of the country is a very pressing problem.

In order to encourage industrial expansion the people of India tried different methods of new developments. A good number of students hurried to Japan for technical and industrial training. Many of them returned to take part in the *Swadeshi* movement of the years 1907 to 1909. Numerous small factories for making matches, pencils, cutlery, etc., were started but, Sir, they have all proved a failure. It has now been admitted that the people cannot carry out their programme without the help and guidance of Government. The Right Hon'ble Mr. Montagu and Lord Chelmsford have in their report on Indian Constitutional Reforms discussed fully India's economic position and admitted that a forward policy in industrial development is urgently necessary. Their reasons are that it will give India economic stability, that it will satisfy the aspirations of her people who desire to see her stand before the world as a well-poised up-to-date country, that it will provide an outlet for the energies of her young men who are otherwise drawn ex-

clusively to Government service or a few over-stocked professions, that it will help in applying the money now lying unproductive to the benefit of the whole community and that it will make the people better qualified to shoulder the new responsibilities which the new constitution will lay upon them.

If we care to give a practical shape to the proposals of the Right Hon'ble Mr. Montagu and Lord Chelmsford it is absolutely necessary that the Government should come forward boldly as guide and helper.

The organisation of a Special Industrial Board as proposed by Chaudhri Bans Gopal will, I think, help a good deal in encouraging the manufacture and use of indigenous articles.

**Mr. E. E. Clarke**.—In rising to oppose this motion I would say that I am afraid that the Hon'ble member is not one of the economists of this Council, for the appointment of a special Industrial Board, the opening of stores and holding industrial exhibitions and fairs means money, and a good deal of money too, to foster and push industries which already exist or that are to exist if the money is found by Government to give the necessary start. In other words the Hon'ble member wants the Government to carry the load while those who are connected with the various industries reap the profits. This is not the way to build up industries and develop the resources of the Province. The one essential factor in the successful development of trade is 'Faith.' Faith on the ability to put before the public goods that will sell. No manufacturer or group of manufacturers in the West asks for Government help to sell their goods in their own country. It is the last thing they want being quite content to stand or fall on their own

merits, giving to their business the whole of their energies, the whole of their knowledge and risking the whole of their money on their enterprises. This country and this Province in particular is rich in nearly all raw materials and what is wanted is for its people to make themselves personally acquainted with the fundamental principle of commerce both in the creation and distributing sides. Unless a man is apprenticed to a trade he cannot control successfully. Fairs are held in England and are the means of putting before the great purchasing public the resources of the Empire, but these fairs and exhibitions are not financed and mothered by Government. They are the children of men who have faith in their own productions, of men who are prepared to risk their money to show the world what they can do.

There is ample finance in the Province to develop the most elaborate schemes of production and if the moneyed classes will put their faith and their money into its industries and educate their sons to gain an intimate knowledge of any one of those industries so that they are experts, thus qualifying them to control a factory and distribute its output there will be no necessity for Government Industrial Board or Stores or Exhibitions.

**Mr. Ganpat Rai**, who spoke in Urdu, supported Chaudhri Bans Gopal. He said that there was great necessity for organising industrial boards. Replying to Mr. Clarke the speaker said that in Europe Government paid for industrial exhibition, and it was the duty of Government to help the public in the matter of industrial development.

**Mr. K. L. Rallia Ram.**—Sir, I move the closure.

**The Hon'ble the President.**—I am not prepared to put the closure for another ten minutes.

**Pir Akbar Ali**, spoke in Urdu. He said that a man should learn to stand on his own legs. It was not proper that for each and every work Government should be asked for help.

It was only by private enterprise that industries could be encouraged. There was no necessity to depend on the Government.

**Khan Bahadur Mir Muhammad Khan.**—Sir, I rise to oppose the motion of the Hon'ble mover on two grounds. The first is the question of supply and demand. Our indigenous goods were turned out of the market simply because there was no demand for them. There was a time when there was demand for Dacca muslin, but as soon as Western goods flooded the market, it was turned out.

The second ground is that it is a question of private enterprise and we should not approach the Government for them. They depend upon private enterprise and private adventure. The question is whether there is any demand for the indigenous goods or not? I am afraid most of the members in the House wear collar and ties which their forefathers never wore, and the result is that the Western goods only supply those necessities. Unless we realize that mistake, we cannot blame the Western goods. Before the War, German goods came to the English market, and it well nigh turned out the English goods out of the market, being cheaper. Similarly as the Western goods are cheaper than the Indian goods, therefore, the people buy the cheaper one and not the dear one. There is no demand for indigenous goods, and unless we ourselves try to encourage the indigenous goods we cannot expect the Government to stop the imports of Western goods.

**Chaudhri Muhammad Amin** who spoke in Urdu, said it was a mistake to consider that Government should not be

asked to help in the encouragement of industries. The people in India were as yet infants in this line, and they required some outside help, and could not succeed without the help of Government.

**Mr. K. L. Rallia Ram.**—Sir, I move that the question be now put.

**The Hon'ble the President.**—The motion before the Council is that the question be now put.

The motion was carried.

**Chaudhri Bans Gopal**, replying in Urdu, said that most of the arguments which had been urged against his resolution had already been answered in his opening speech. Referring to the speech made by the representative for Commerce, he said that he had been very disappointed at his opposition. He thought it was absolutely essential that Government should adopt protective measures to aid indigenous industries, and unless they did so, the craftsman of India would perish. It was not merely a matter of supply and demand but that of promoting indigenous industries, and not only keeping them alive but developing them as far as possible.

**The Hon'ble Lala Harkishan Lal.**—Sir, by the kindness of the members who have supported the Government, I have been placed on the horns of a dilemma. I do not know whether I should thank them or not. The policy of Government in this matter is already more or less laid down definitely, and it appears that those who have supported Government would like to change that policy—a policy to which my position as a Minister is due. I do not know whether in the circumstances I should resign my position as a Minister of Industries or continue to hold office. If I were to accept the doctrine that Government has absolutely no concern with industries, I must

resign my position and ask Mr. Scott to do so also, as otherwise we will be carrying on a policy which is not approved by this Council. I do not think, however, that I need go into the principle which led Government to adopt this policy. The public has for over half a century been crying and drawing the attention of Government to this side of human activity. Government has after due deliberation and consideration laid down a policy and the subject concerned has been transferred. I might explain at this stage that the idea which many people still have of the Government as it has so far existed is entirely erroneous. There is no longer an entirely British or foreign Government so far as Provincial matters are concerned—I am not saying anything about the Imperial Government or the Government in England—but so far as Provinces are concerned the old constitution has come to an end. We now have a Diarchical form of Government, and industrial matters have not been left in the hands of that part of the Government which might still be called a foreign Government but have been transferred entirely to the indigenous and representative part of the Government. And in my opinion that indigenous Government would be failing in its duty if it did not help local industries and consider the question from every practical point of view. This is the legal and definite position to which I have succeeded, and I do not wish any advice or suggestion as to what Government should do in this matter because the policy has already been settled.

With regard to the suggestion made that Government should leave these matters to private enterprise, and that it should purchase its own requirements in the open market, I say that I cannot accept it. It is false that the Governments of other countries have not or are not helping industries. I will



quote, for instance, the Dye Industry in England. £2,000,000 were subscribed by the Government of Great Britain for the purchase of shares in the Anilene Dye Company only a few years ago, and I know it as a fact that the Government of England has been trying to sell the produce of that company in this country with the assistance of Government machinery. Well, that establishes the principle that it is the Government's duty in many cases to help industries as far as possible. I think the mover of the resolution has only touched the fringe of a popular idea. By appointing a special board and by opening stores and by buying goods placed therein, it would not help the industries of the country to a great extent; it would not touch the fringe of the necessity. The whole question is a very big one. It requires large measures; it requires money, and it requires men. Whether those measures, means and men will be forthcoming soon or late, I cannot say at this stage. But probably what the mover meant by this resolution was to draw the attention of Government to the importance of the subject. I can assure him that the subject will not be forgotten.

As regards the acceptance or rejection of the resolution as it stands, I might tell him that there are already Boards in Multan, Amritsar, Ludhiana and Lahore which advise the Director of Industries, and he also proposes to start Boards in Rawalpindi, Sialkot and other places. That being the case, I am not prepared to agree that a Central Board should be called into existence at once. We should wait and see how these Boards work and whether they are useful.

With regard to the opening of stores, I am also informed by the Director of Industries that a Central Store

for the sale of indigenous articles has been established in Lahore; it is situated in a large hall specially reserved for the purpose in the Mayo School of Arts. A similar store will soon be established in Amritsar.

As regards the holding of regular annual industrial exhibitions or fairs, that I think is too much to ask. Exhibitions are no doubt very useful, but if they are held too frequently, they degenerate into fairs or *tamashas*, rather than a record of the growth and progress of industry. Therefore I am not prepared to accept the words 'regular annual industrial exhibitions and fairs.' I might at the same time inform him that the Rs. 20,000 which the Council has voted for an exhibition in England is not meant by way of a subscription towards that exhibition but for expenditure incurred in exhibiting our own produce there; and I am informed by the Director of Industries that the Provincial Government sent a large assortment of Punjab manufactures to the annual British Industrial Fair and we have heard that the venture, for a first trial, has been a great success. I might mention in passing that some of the articles exhibited were selected and purchased by Her Gracious Majesty the Queen Empress. The Director of Industries also informs me that it is also intended to hold a fair in Lahore in April. If therefore, the mover will accept my suggestion, I am prepared to accept the resolution in the following form:—

'This Council recommends to the Government that steps be taken to encourage and promote the manufacture and use of indigenous articles by opening stores and holding industrial exhibitions and fairs.'

I would leave out the words 'through the medium of a special board' after the word 'taken' and also the words

'regular annual' before the word 'industrial.' This modified form is exactly in accordance with the policy of the Punjab Government.

**Chaudhri Bans Gopal.**—I am prepared to accept the amendment proposed to my resolution.

**The Hon'ble the President.**—During the last two or three days I have felt a difficulty over the practice by which the member in charge of the Department has not intervened in the debate, but has confined himself to a final statement after the mover has replied. In fairness to the mover, and to the Council as a whole, I think that an indication of Government's attitude ought to be given during the course of the debate, and before the mover replies. Especially is this the case when any amendment has to be put. I do not mean to suggest that the member in charge of the Department should give up the right to speak last; merely that some indication should be given from the Government bench as to how Government means to meet the resolution. Now I am in a difficulty. The debate has been closed and it is too late for any amendment to be moved. The only solution I can suggest to give effect to what seems the view of the Council is that the mover should accept the promise of the Hon'ble Minister and withdraw his resolution, or else that the resolution should be passed as it stands, it being understood that Government will give effect to it in the sense agreed upon.

**The Hon'ble Lala Harkishan Lal.**—Sir, with due deference to the ruling of the Chair, I am not aware that the mover cannot accept an amendment at any stage. I have not studied the Standing Orders very carefully, but from the practice of other societies, over which I have myself presided on

several occasions, I thought that it was always open to the mover to accept the amendment at any stage. Of course if he does not accept the amendment, then there is a difficulty.

**The Hon'ble the President.**—There is no question of the mover's acceptance. A motion once moved is in the hands of the Council, and the mover cannot withdraw it or alter it without the leave of the Council. In the present circumstances, the ordinary procedure would be for the mover to rise and say that he accepts the assurance given and will not put the resolution.

**The Hon'ble Lala Harkishan Lal.**—Yes, that is right.

**Chaudhri Bans Gopal.**—Sir, I would prefer that the resolution be put because it is nothing but a recommendation to the Government, and then the Government can act upon what has been suggested by the Hon'ble Minister for Agriculture.

**The Hon'ble the President.**—It does not make any practical difference either way. I do, however, consider the best constitutional procedure to be for you to withdraw your resolution on the Hon'ble Minister's assurance.

**Chaudhri Bans Gopal.**—Sir, I do not want to withdraw my resolution.

**The Hon'ble the President.**—In that case I will put the resolution to the Council. The motion before the Council is that 'This Council recommends to the Government that steps be taken, through the medium of a special industrial board, to encourage and promote the manufacture and use of indigenous articles by opening stores and holding regular annual industrial exhibitions and fairs.'

The motion was put and carried.

## RESOLUTION REGARDING APPOINTMENT OF A COMMITTEE TO ENQUIRE INTO THE EXTENT TO WHICH CORRUPTION IS PREVALENT AMONGST PUBLIC SERVANTS.

**The Hon'ble the President.**—The next resolution is that —

“This Council recommends to the Government that a Committee consisting of one official and three non-official elected members of this Council be appointed to enquire into and report on the extent to which corruption is prevalent amongst public servants in the various departments of Government.”

Sardar Dasaundha Singh, the mover, is absent. The resolution stands withdrawn.

## RESOLUTION REGARDING RELEASE OF POLITICAL PRISONERS.

**The Hon'ble the President.**—The next resolution stands in the name of Mr. Ganpat Rai and runs :—

“That this Council recommends to the Government that all political prisoners from the Punjab detained in Jails and deported to the Andaman Islands be set at liberty immediately.”

**Mr. Ganpat Rai.**—Sir, I withdraw my resolution.

**The Hon'ble the President.**—The resolution stands withdrawn accordingly.

## RESOLUTION REGARDING ELECTION OF ZAILDARS.

**Mr. Moti Lal, Kaistha,** speaking in Urdu, first read out the resolution standing in his name. It was as follows :—

“This Council recommends to the Government that henceforward the appointments of Zaildars be made by

election within each Zail on the same basis as the election of District Board Members takes place.”

The speaker said that he did not intend to say anything against the gentlemen who were already holding the post of Zaildars, but the public demanded that, when they were required to pay them “Panjotra,” they should have a voice in their actual appointment. The present system was defective. In the Kangra District, for instance, there were four lakhs of Ghirsat Jats but they had not got a single Zaildar from their tribe. Moreover, if the Zaildars were elected by the people, the duties entrusted to them by Government would be carried out more efficiently and more promptly, as the Zaildars thus elected would be more popular among the public. Further, if the election system was introduced, there would be no litigation, and the appellate and revisional work of the Courts would be reduced to a great extent. Under the existing system a man who was not appointed Zaildar took his case to the Financial Commissioner's Court for revision.

**Rana Muhammad Jamil Khan,** speaking in Punjabi, enquired whether Mr. Moti Lal's resolution was meant for the Kangra District only or for the whole of the Punjab.

**The Hon'ble the President.**—For the whole of the Punjab.

**Rana Muhammad Jamil Khan,** speaking in Punjabi, narrated his own troubles as a Zaildar, and opposed the resolution. Any system of election, meant bribery.

**Chaudhri Ali Akbar** opposed the resolution. He said that he was unable to understand as to what had led the mover to move his resolution. The Zaildars had not become *Gaddi-nashins* that they should shirk the responsibility of collecting land revenue

and of helping the police in the investigation of crimes. At the time of the District Board elections, the voters do not generally exercise their right of voting, simply because they do not wish to pick up a quarrel with one or other of the candidates and this is done in spite of the fact that voting is done by means of the secret ballot. But if the appointments of Zaildars were to be made by election, a voter would not be safe from the hands of the Zaildars, whose candidature was opposed by the voter. The Zaildars could exercise their powers, inasmuch as they were hand-in-glove with the police.

**Chaudhri Nabl Bakhsh**, who spoke in Urdu, opposed the resolution.

**The Hon'ble Khan Bahadur Mian Fazal-i-Husain**, who spoke in Urdu, said he was addressing the Council in his private capacity. There were many defects in the present system of appointment to Zaildarship. It was necessary to produce many certificates of services to Government Officers and commendation certificates from the Police, etc., to become a Zaildar. He would like the Zaildar members to consider well over the question whether it was better to have appointments under the present system or by election.

**Sardar Dilbagh Singh**, who spoke in Urdu, said they would prefer the present system, and strongly opposed the resolution.

**Diwan Bahadur Raja Narendra Nath**, who spoke in Urdu, said if the mover had seen the rules in regard to the appointment of a Zaildar, he would have put in his resolution in quite a different form. As far as he remembered there were four conditions taken into consideration in appointing a Zaildar:—

- (1) How many people does he represent;

- (2) How much estate does he possess in the Zail;

- (3) To what extent is he free from debt; and

- (4) Service to Government.

He asked the mover of the resolution to reconsider the matter in the light of the considerations which he had placed before the Council, and to withdraw his Resolution and bring it forward at a later date.

**Mr. Moti Lal, Kaistha**.—In the circumstances I beg leave to withdraw my resolution.

The resolution was by leave withdrawn.

#### GOVERNMENT'S SUPPLEMENTARY DEMAND FOR THE WINDING UP OF THE PUBLICITY BOARD.

**Mr. B. T. Gibson**.—Sir, I beg leave to add one supplementary demand to the demands for grants to be presented to-morrow. It is one of Rs. 25,000 for winding up the publicity board. It has not been possible for Government in this case to give the two days' notice required under the rules.

**The Hon'ble the President**.—Do I understand that this demand is made to give effect to the wish of the Council that the publicity board be wound up?

**Mr. B. T. Gibson**.—Yes, Sir. It is for the complete winding up of the publicity board. The details are, pay and salaries; refunds of subscriptions for the "Haq" and "Bulletin"; payment for the printing of pamphlets already in the press; payment of outstanding bills; miscellaneous contingencies; proposed gratuity to the staff; and Rs. 1,400 for any possible unforeseen expenditure. The total is Rs. 25,000.

**The Hon'ble the President.**—In view of the fact that the motion asking for the abolition of the publicity board was passed only on the 12th instant, and that the Government is taking action to meet the wishes of the Council, I will waive the rule requiring two days' notice and will accept the demand. If any member wishes to give notice of objection to any item he should do so before 4 P.M. to-day.

### RESOLUTION REGARDING ACQUISITION OF LAND IN LAHORE UNDER THE LAND ACQUISITION ACT.

**Mian Muhammad Shah Nawaz.**—Sir, I beg leave to move the following resolution:—

“That this Council recommend to the Government to desist from acquiring lands on a large scale for the benefit of officials in the vicinity of Lahore under the Land Acquisition Act, but that if such acquisition is unavoidable, to compensate the owners liberally by giving them canal irrigated land, if the owners agree to take such lands instead of money compensation.”

**Mr. H. A. Casson.**—Sir, if I may be permitted to intervene at this stage, I think that the time of the Council will be saved. Government cannot accept the resolution as it stands because it differentiates Lahore from the rest of the province and also differentiates the acquisition of land for officials from the acquisition of land for other purposes. But Government is in full sympathy with the main object which the mover has in view and is prepared to give him the following assurance which will be applicable to the province generally, and not only to Lahore, and this assurance is to the following effect:—

That Government does not acquire land in Lahore or elsewhere unless it

appears to Government that the land is *bona fide* needed for a public purpose,—the expression public purpose including the provision of houses for officials where such provision is necessary. Further, Government will in all cases do its best to see that acquisition is unavoidable; secondly, that it has been its practice in recent years, and will continue to be its policy in future, to give land in compensation, if desired, instead of cash, subject to the following conditions:—

- (a) That land is available for grant
- (b) That the person or persons whose land is acquired is a member of an agricultural tribe, or if not a member of an agricultural tribe is in fact dependent on the land for a livelihood;
- (c) That the amount of land required from any person bears a reasonably large proportion to the amount of land still left to him, or affects in an appreciable degree the possibility of his making a livelihood out of the land; or that the amount of land acquired from one person is worth more than Rs. 4,000.

Finally, every case would have to be considered on its own merits with reference to the above considerations. Perhaps in view of this assurance the mover may be prepared to withdraw his motion.

**Mian Muhammad Shah Nawaz.**—I have to thank Mr. Casson for the assurance he has given and beg leave to withdraw my resolution.

**The Hon'ble the President.**—The motion before the Council is that leave be given to withdraw the resolution.

The resolution was by leave withdrawn.

## RESOLUTION REGARDING THE SALE AND MANU- FACTURE OF INTOXI- CATING LIQUORS.

**Mr. K. L. Rallia Ram.**—Sir, with your kind permission I will read the resolution, which stands in my name. The resolution runs as follows:—

“The Council recommends to the Government that the principle of Local Option with Prohibition, so far as practicable, of sale and manufacture of intoxicating liquors be introduced in the Province at an early stage.”

Sir, those who have studied the Report on the Excise Administration of the Punjab during the year 1920, are shocked at the appalling figures which the Report presents. The outstanding feature of the Report is an enormous rise in Excise Revenue. An increase of 25 lakhs in the year brings the total receipts up to 129½ lakhs. This, however, is not all. The worst is yet to come. From the report it is evident that the tendency to soar upwards persists and it is estimated that the gross receipts for the years 1920 and 1921 are likely to touch a crore and a half which will be almost exactly double the income of 1916 and 1917. Sir, this is no doubt, to a large degree, due to the enhancement of Excise duties and improved administration, yet it is a sure indication that there has been a larger consumption of liquor, and our belief is confirmed when we look at the figures in the report in that direction. We find, Sir, that in 1913 and 1914 the liquor consumed in the Province amounted to 5,44,524 gallons of London proof, while in 1919-1920 we find that it has gone up to Rs. 8,91,405. Sir, there is the clearest evidence to show that the course of drink in the Province is on the increase. Those who have studied the conditions give 4 reasons for this habit of immodera-

tion and insobriety amongst the people. They are as follows:—

Firstly, relaxation of all old religious duties due to the spread of purely secular education. It is to be deeply regretted that while laying down the policy and system of education the Government for more than one reason had to eliminate religious teachings from the school curriculum and one says it with regret that it has had a very baneful and deleterious effect on the morals of the people.

Secondly, imitation by people of western mode of living. Unfortunately there are number of Indians who think that the superiority of British physique and its power of endurance are due to their use of liquor and meat, hence there is a demand for that commodity.

Thirdly, the effect of foreign travels. Those who go to England and other foreign countries bring with them, as a rule, the vice of drink which more or less sticks to them throughout their lives. We are proud of our connection with the West. We are thankful to them for good many good things, yet we have to curse them also for this vice which is more or less a western vice, although I must admit that it was found in pre-British towns in India and it is feared now that all the Sepoys who have been to Europe and many battlefields will also bring this vice with them and spread it in the villages.

Fourthly, increasing prosperity of the people, especially in the canal irrigated area. Wealth and prosperity are very great blessings no doubt, but there are very few who know how to stand prosperity and wealth and how to use them in the right direction. It is said that as a mark of hospitality now-a-days many Jats offer liquor in place of *Lassi* and *Sharbat*. Sir, before I go further I would like to say



that a good deal of misapprehension has existed so far as to the attitude of the Government with regard to the increasing liquor question: and indictments have been made by no less persons than the late revered Mr. Gokhale and Revd. Herbert Anderson as to the policy of the Government to combat this evil of drinking and they have maintained that the revenue considerations have operated against any marked policy in this direction. Sir, however, to be impartial and just; after going through the voluminous correspondence which passed between the Government of India and the Provincial heads in 1914 and the papers relating to the Excise Administration which were published there, one concludes that there is no intention on the part of Government to increase revenue by increasing indulgence in liquor. Sir Edward Law, the Finance Member of Lord Curzon's regime, made this announcement while presenting the budget of that year in 1903:—

“There is no desire on the part of the Government of India to increase revenue by encouraging indulgence in alcohol. It is a matter in which we feel our full responsibility, which undoubtedly requires constant careful watching and to which at the present moment we are devoting special attention in the interest of temperance and morality.”

Similar assurances have been given from time to time by those who are in a position to bold and give such hopes to the people, although one wishes that the Government might have done more in this direction. No doubt individual officers here and there have done all in their power to support the cause of the ardent temperance workers and to do all in their power to drive out this evil of drink: and I, with your permission, may be allowed to say that Mr. C. M. King, who is a Member of this Council, in his capacity as a

Deputy Commissioner of Amritsar, was mainly responsible for segregating wine shops from the city. Similarly there are other officers too. But an Englishman in this country is not in a position to realise and picture to himself the horrors due to the ravages of drink. The reason is not far to seek. Liquor is a part of his food and he takes it in most cases with moderation. Secondly, he is not in touch with the people to find out for himself what harm this evil has actually done. Sir, it has done more harm than pestilence and plague. It has brought sorrow and bereavement to many families. It has cut down many in the prime of their life, men who would have otherwise been very useful citizens of the Empire. It has made ridiculous the hopes of millions. There has been a great awakening in the whole world for some years past, and popular sentiment in America and Europe in regard to intoxicating drink has been revolutionized within the past five years. The credit, of course, is due to America who set the ball rolling in this direction. For the first time in the history of the world, forty-five States of America, by common consent and free will, have introduced into their fundamental law the prohibition of the manufacture, sale, transportation, importation and exportation of all kinds of alcoholic beverages, and the results accruing from such a course, both from the economic and social standpoints of view, have been quite justifiable.

Europe, too, is feeling the force of the prohibition wave in the United States and Canada, and there has been a steady volume of opinion growing up in favour of prohibition. Russia, Roumania, Finland, Iceland, Greenland and the Faroe Islands have gone dry, and total prohibition is in force among the North Sea Fisheries. Absinthe has been prohibited in France, Switzerland, Italy, Holland and Belgium

In parts of Norway and throughout the rural districts, and in some of the cities of Sweden, Brandy is under the ban of prohibition. Denmark, too, has not lagged behind. It has prohibited the use of home-grown corn and potatoes for the manufacture of intoxicating liquors.

In South Africa and other parts of this great Continent, there is a growing opposition to the liquor traffic and a demand for its prohibition. The great mining magnate of Johannesburg, Mr. Raymund Schumacher, in 1914 said: "If the communities wish to deal effectively with the liquor question, they must go to the root of the matter and strike there. The evil that alcohol has wrought throughout South Africa, from one end to the other, among the whites, let alone the blacks, is immeasurable." Prohibition is in force in the British West African possessions, such as Sierra Leone, the vast regions of Northern Nigeria, the Protectorates of Somaliland, British East Africa, Uganda, Nyasaland, Northern Rhodesia, British Bechuanaland, and to some extent in Basutoland. Other European nations with colonies in Africa have prohibited the introduction into their territories of alcoholic liquors.

In Australia the struggle towards sobriety is being pushed with great vigour. Various forms of local option are in force throughout the commonwealth, and it is hoped that it will also join other nations and exert its introducing prohibition.

The faith and convictions of the Asiatics make him an ardent supporter of all efforts towards sobriety. The great curse of China has been opium which has gone. I will not deal with this question. There has been a great enthusiasm over this in Ceylon, and local option was given, but the percentage was so high that it could not be made very effective. Some of the States have taken up the question very enthusiastically. The Begum of Bhopal, the enlightened Muhammadan lady, who rules over that Moslem State, has issued a proclamation that any Muhammadan, in her territory, found intoxicated, carrying liquor, or sitting in a liquor shop, shall be sentenced to rigorous imprisonment. As Her Highness has also got Hindus in her State, she has also appealed to them to co-operate with the State to drive away this curse of drink.

The Nizam of Hyderabad, the premier Ruling Prince of India, has introduced prohibition in his own capital. The progressive State of Mysore has declared its entire sympathy with the question of local option and is also trying prohibition in certain parts. In Calcutta prohibition has been tried in four central wards. The other day, the Amritsar Municipality, with its non-official President, Rai Bahadur Lala Gopal Das, in the very first meeting, has decided that Amritsar shall go dry.

From this, it is perfectly clear that the Indian sentiment is distinctly and definitely in favour of introducing most rigorous temperance legislation. The following practical results of prohibition in Detroit, the largest city in the world, which has yet tried prohibition, will give in-

disputable proof of the value of such legislation. A detailed analysis of the Police Commissioner's report showing arrests in

Detroit during the last eight months following and preceding prohibition reveals the following comparisons:—

Offences.	Before prohibition.	After prohibition.	Per cent. reduction.
Petty thefts ...	2,090	1,053	50
Burglary, robbery, etc. ...	1,336	1,137	33
Assault ...	627	702	30
Murder ...	97	46	53
Keeping houses of ill-fame ...	215	126	42
Disorderly ...	10,779	4,209	61
Drunk ...	10,036	2,237	78
Begging and Vagrancy ...	338	48	86
Prostitution ...	771	483	44
Gambling ...	503	307	39
Other ordinary offences ...	469	245	48
Total ...	28,156	10,543	64

Altogether there were 28,156 offences before prohibition was imposed, which shows a decrease of 64 per cent. in crime.

It has been proved that prohibition has destroyed the most fruitful source of heinous crimes and debauchery. In fact there are forms of crimes which are associated entirely with drinking, as for instance, vagrancy, has been shown above to have been reduced from 338 to 48 only. So it means if there is prohibition, if there is no liquor, the crime will be comparatively less until it will entirely go out. In order to do anything effective in this direction, the first stage is local option, and this reform is very

appropriate at this stage when we are on the threshold of a new era. Reforms have come, and whatever may be the advantages, whatever the form of Government it may bring to the people, the underlying principle, Sir, is the right of voting and enfranchisement, and this right has been held very high by the people from times immemorial. Even we read in Julius Caesar, Sir, when Caesar was killed for the good of the people in the interest of the commonweal, the cry around his dead body was 'liberty, freedom, and enfranchisement.' This is the greatest of rights which can be given to any nation in a civilized country. It is deeply to be regretted, Sir, that the people did not exercise this right in connection

with elections that took place lately to inaugurate this great House through grave misunderstandings and misrepresentations, but this cannot be denied that it is a great right; and the time has come when the people themselves have the power to purge this land of the great evil. This authority is already transferred to the control of an Indian minister, and His Excellency whose sympathy echoes in the hearts of the people has fore-shadowed this question while commenting on the report of the 1919-20, and with your kind permission, Sir, I will read His Excellency's (then His Honour) words :—

'The Lieutenant-Governor sees in this year's report fresh proof of the variety of problems which the excise administration is called upon to solve, and of the scope that it will provide for the energies of the minister to whom it will shortly be entrusted under the Reforms Scheme.'

It has now been transferred to the control of the minister, and we are all hopeful and we look to him that his fertile brain will be able to bring out a scheme which will substitute the great revenue which I must say, Sir, is very dearly earned. It is obtained at the cost of health, prosperity and progress of the nation, and I am sure that the Indian people and the British Government with its noble traditions will come out to the help of the people to drive this evil, and I am sure that they will subordinate their own preferences for the sake of the good of the country. I appeal, Sir, to all the members of this Council, representatives as they are of the people, that this responsibility rests entirely upon them. They can no longer blame the Government. Let us formulate a practical scheme, and I am sure my request is only a very modest one, i.e. I want local option. Let the people say they do not want any liquor shops, and if the people decide so, I am sure the Government will comply with their demand. By this I am sure we shall make this land of the five rivers a happy land, a brighter land, a more intelligent

land, a land full of hopes, a land full of aspirations, and a land the people of which will not be inferior in character and intelligence to the people of any other country. Then we shall be able with the help of Government to stand shoulder to shoulder with other nations, to show that we are not inferior in character and intelligence.

**The Hon'ble Lala Harkishan Lal.**—I just want to ask the mover of the resolution, first, whether he presses for the retention of the words 'and manufacture' in line 2 of his resolution; secondly, whether he means anything by adding the words 'local option'. As I understand, the phrase 'local option' includes the power to prohibit; and thirdly, local option being rather an indefinite term, does he mean that the option shall be exercised by local bodies or by a special electorate?

**Mr. K. L. Ralla Ram.**—Sir, I do not wish to retain the words 'and manufacture', or the words 'with prohibition.' I should like to discuss the third point with my friends during the luncheon interval.

**Pandit Daulat Ram, Kalla.**—I move, Sir, that the words 'with prohibition' be deleted from the resolution.

The motion was put and carried.

**Sardar Bahadur Sardar Mahtab Singh.**—I move, Sir, that the words 'and manufacture' be deleted from the resolution.

The motion was put and carried.

**The Hon'ble the President.**—The resolution before the Council will now run as follows :—

The Council recommends to the Government that the principle of local option be applied, so far as practicable, to the sale of intoxicating liquors in the province at an early stage.

The Council will now adjourn till 2-30, when the resolution as amended will be taken up.

**Mr. K. L. Rallia Ram.**—Sir, by 'local option' I mean that power be given to municipalities and district boards.

**The Hon'ble the President.**—Do you wish to put forward any amendment?

**Mr. K. L. Rallia Ram.**—Sir, what I mean is that all district boards and municipalities should be given the power of local option with regard to the sale of intoxicating liquor.

**Sardar Bahadur Sardar Mahtab Singh.**—Sir, I give my hearty support to the resolution of Mr. K. L. Rallia Ram. For some time past we have been seeing that the energy and strength of the people, especially the Sikh population of Majha and Malwa has been really very much decreased by this evil habit of drink. There are no doubt some stereotyped objections. I do not think they are worth anything. They are not very weighty, especially the one that if we stopped the sale of liquor, it will lead to a good deal of illicit distillation. This objection is generally brought forward; but I may bring to your notice that it applies to almost every country, and now that all the countries are trying to free themselves from this evil habit, there is no reason why India should not do so. This pernicious habit tells upon the health of the people of this country. In cold countries it has not such a bad effect upon the people as it has upon the strength and health of the people of the hot countries. Now, Sir, there is one point more. The Hon'ble Minister for Agriculture would probably bring out the matter and that point is that by stopping the sale of liquor, illicit distillation would come into being. I might say that in this case the people will consider, before they do such things, that they are doing wrong. They will do it stealthily and secretly and they will think that they are committing an offence, and if that element is there, that is a conviction brought home to them that they are doing something which they should not do and which the country does not like and which in the best welfare of the country is considered to be

evil and mischievous. If that idea is present whenever a man does any wrong then our object is achieved. There is another point. It is this that the new Excise Act provides much severer punishments than the old Act provided, and that is one more reason that if the people are punished severely it will have a deterrent effect. But, if necessary, this Council will have no objection at all to make the penalty still severer. This evil has anyhow to be checked because within the last 3 or 4 years it has brought double the revenue and the figure has gone up almost to 1½ crores. There is one more point which I wish to bring to your notice and that is this. It is not really the Excise Revenue which comes out of people's pocket. The expenditure on liquor is perhaps twenty times more and will come to between twenty and thirty crores, which yearly spent means ruin for the country.

I would therefore beg that the closest consideration should be paid to the welfare of the people of this country. In view of the fact that the form of Government has changed for the better, the people should now benefit more than they did previously, as now they have a real voice in the administration of the country. If that be so, then of course the people outside would be waiting to see what steps we take in order to eradicate this evil. With these few remarks I would strongly support the resolution of Mr. Rallia Ram.

**The Hon'ble the President.**—Will you also move the amendment required to give effect to the mover's intentions?

**Sardar Bahadur Sardar Mahtab Singh.**—I move that after the words 'local option' the words 'exercisable by municipalities and district boards' be added.

The motion was put to the Council and carried.

**The Hon'ble the President.**—The resolution now stands thus—

The Council recommends to Government that the principle of local option,

exercisable by municipalities and district boards, be applied, so far as practicable, to the sale of intoxicating liquors in the province at an early stage.

P. J. Fagan.—Sir, I should like to begin the few remarks which I propose to address to the Council by expressing the great sympathy of Government with the humanitarian sentiments and motives which are embodied in the resolution moved by my friend Mr. Rallia Ram. It is, I hope, needless for me to refer to what is, I trust, the now thoroughly exploded myth that Government is anxious to see the consumption of liquor increase for the sake of the revenue involved. I may once more assure the Council that nothing would give Government more satisfaction than a substantial and permanent diminution in the consumption of liquor in the Province, and that it would very gladly face the loss of revenue which such a decrease would necessarily involve. But so long as people desire to drink, so long as the drink habit prevails, so long as I endeavoured to point out a few days ago, excise income is inevitable.

While saying this, I would just refer to the figures to which Mr. Rallia Ram referred. I think he said that the increase in the consumption of liquor had risen from five lakhs to eight lakhs of gallons. I am not quite sure where he got those figures, but in a statement which was laid on the table a few days ago in answer to a question by Sardar Mahtab Singh, it was shown that in 1919-20, *i.e.*, the last complete financial year, the total consumption has been 685,000 gallons which is a good deal less than the 800,000 gallons to which the mover referred. I think, that probably what has happened is that the mover has included in his figures a considerable quantity of liquor which was manufactured at the Amritsar distillery and despatched to Sind for meeting the excise requirements of that Province.

Now, Sir, the mover took a rather world-wide survey of this question of prohibition combined with local option.

I do not propose to detain the Council while I follow him in that rapid excursion. All that I would say is this that so far as prohibition or local option has been successful in other countries, such as America, and from what fell from the Hon'ble Mr. Harkishan Lal the other day, I gather that that success has not been altogether complete, still so far as success has been attained, that is a good augury for the ultimate practicability, and we may say perhaps the ultimate success of analogous, if not exactly similar measures in this country. At the same time, I think, it would be unwise to jump at once to the conclusion—the confident conclusion—that measures which have been more or less successful in other parts of the world will necessarily and immediately command public support and also early success under the conditions which prevail in India.

Now, Sir, before dealing with the terms of the resolution modified as it now stands, I should like to remind the Council that even now we have a rudimentary system, which though perhaps we can scarcely call it local option still at any rate enables local public opinion to be consulted in matters relating to excise administration and especially that part of the administration which deals with the consumption of liquor. Under section 85 of the Excise Act it is incumbent on the Collector under statutory rules to be framed by the Local Government to take such measures as may best enable him to ascertain local public opinion in regard to licensing premises for the retail vend of liquor which have not been licensed previously, *i.e.*, new liquor shops. Accordingly some years ago, Government framed rules under the Act and the effect of those rules briefly is this, that when the Collector proposes to license a new shop, he is obliged to refer the matter for the opinion of the municipal committee or district board within whose jurisdiction the shop would be situated. That applies, as members will no doubt understand, only to new shops. So far as it goes, it is



means of eliciting public opinion. But not only has the Collector to refer expressly to the local bodies but he has also under a procedure which is laid down in the rules framed to carry out an inquiry of his own, quite apart from his reference to the municipal committee. He is of course not bound by the opinion of the local body, but it is a matter to which he has to give very careful consideration; and in addition to that and going for the moment somewhat beyond the subject of liquor vend, I may inform members, if they do not know it already, that any changes in the excise administration of a district which the Collector contemplates have also to be referred for the opinion of local bodies. So that the principle of referring these matters to local bodies with a view to getting some idea of public opinion about them is not unknown. To go beyond that to what is actually known as local option, that is local option empowering the local body exercising that option to absolutely veto all sale of liquor, is, of course, a considerable step, and I understand that in the adoption of that system and the working of it, practical difficulties have made themselves felt in the places where it has been applied. One difficulty which impressed itself upon me when I first read the resolution relates to the nature and constitution of the body which is to exercise the option of imposing a veto on the sale of liquor. It may be an existing body, existing that is for general administration purposes, or for electoral purposes or for other purposes; not a body created expressly for the exercise of this option, and it will, therefore, become necessary to consider what the constitution and nature of that body should be; whether it should be a special one created *ad hoc* or a body already existing for some other purpose. To some extent that question has been cleared up by the amendment which has been embodied in the resolution, and I gather that the opinion of the Council is that the local body which should exercise that option should be either the municipal committee or the district board concerned. Well, Sir, it seems to me that it is still a question for consideration. This

local option, the veto which it involves, necessarily involves also a certain amount of interference with personal liberty. It may be desirable interference, but I suppose that arguments could be adduced—at all events fairly plausible arguments could be adduced—on the other side and the question would arise whether in these circumstances it is not desirable that the body which is to exercise that local option should not be an *ad hoc* body in which private persons likely to be affected by the prohibition should be able to express their views in a direct way. That seems to me to be a question which requires further consideration though I am glad that some definite suggestion has been made on the point by the amendment now adopted.

Another point which requires careful consideration is whether this local option once exercised, whatever the body appointed to exercise it, that pronouncement is to be final or whether it is to be open to revision, and if open to revision, how often and under what circumstances. I suppose there are few who would go so far as to say that a decision once made should hold good for all time in the area concerned. It would seem to me that the weight of considered opinion would ultimately rest in the direction of making the exercise of this local option capable of revision at stated periods.

Then would arise the question how long that period should be. That also is a detail which would have to be considered carefully. It is just details such as these which render difficult the practical application of broad principles which otherwise commend themselves to men. It is just details such as these which have to be carefully considered. It is in short a question whether the application of these broad principles is practicable and in what shape they should be applied.

Then there arises a still further difficulty which I do not say is insurmountable, but it requires careful consideration, and it is this. If this local option is to be open to revision at stated intervals, a car-

tain amount of dislocation is necessarily introduced into excise administration. It seems to me to stand to reason that if at one time in a particular district, the sale of liquor is permitted, and two or three years later, it is forbidden, or if again in one district it is allowed, while in another it is at the same time prohibited, it is possible that a very considerable amount of dislocation in the excise administration both of the Province and of the particular district concerned would be more or less necessarily entailed.

As I have said, that is not probably an insurmountable difficulty; but it is at all events a difficulty which would require very careful consideration and probably considerable readjustment of excise arrangements as they stand at present. It would probably embrace matters which at first sight would seem unconnected with the adoption of the principle which is at present being advocated. Well, Sir, the position of Government generally on this question is, I take it this; that it is quite prepared to consider any practical scheme which may be put forward either by individuals such as my friend Mr. Rallia Ram, or by temperance bodies or by associations interested in temperance. Any scheme of a practical nature which would give reasonable promise of meeting such difficulties as I have mentioned would, I am sure, receive careful consideration with a view to its adoption in a tentative and experimental manner in some limited area or areas. I am sure members will agree with me that experimental and tentative adoption is essential in a matter of this kind in order that in the light of experience the difficulties which will certainly arise may be met and such improvements as suggested themselves may be adopted.

**Mir Akbar Ali.**—Speaking in Urdu, said that he was entirely in agreement with what Sardar Mahtab Singh and the mover of the resolution had already submitted to the Council. Government would not lose a rupee of the revenue which they at present derived from excise if that revenue ceased. By the prohibi-

tion of the use of liquor the money which people formerly spent on it would be used in some more profitable way to the general benefit of the community and the Government alike. Moreover, prohibition would exercise a beneficial effect on crime, by the reduction of which Government's commitments in the matter of Police, etc., would be correspondingly reduced.

"With regard to the amendment of the existing Excise Act, the Government had been placed in full possession of the views of the country through its representatives in the Council, and if they neglected to listen to the advice given, and declined to modify the Act, they must do so on their own responsibility. Until total prohibition was enforced the drink evil would never be eradicated.

**Mr. Ganpat Rai.**—Sir, I do not think it is necessary to make any speech in support of this resolution. I rise simply to thank the Government for making an announcement dispelling the wrong impression which its policy had hitherto created in the public mind. But the Government member has referred in his speech to the fact that prohibition is an interference with the personal liberty of the people. But this will not, I think, be the first time that the personal liberty of individuals has been interfered with by the Government when it is a question of the suppression of a vice. Gambling, for instance, is a vice which has been punishable under the law for a very long time. Is not that an interference with the personal liberty of a man. A man who gambles throws away his own money and . . . .

**Mr. P. J. Fagan.**—The law does not punish gamblers, but the keepers of a common gaming-house.

**Mr. Ganpat Rai.**—Well, what is a common gaming-house. Any house which is entered on a warrant by the police and instruments of gambling, cards or dice, etc., the presumption is that it is a common gaming-house.

We have known cases, of course, where persons in private houses have been playing cards and gambling . . .

**The Hon'ble the President.**—You should not discuss gambling. The resolution relates to drink.

**Mr. Ganpat Rai (continued).**—I congratulate Government for expressing their sympathy, but I hope that sympathy will be practical, because it is said that in the past municipalities and district boards have been referred to for their opinion. That was simply in name, not practically. I have been a member of municipal committee for 28 years continuously, I have been a member of three district boards for more than 21 years and I can say without fear of contradiction that in those three district boards the question of locating shops was never referred. Another member of this Council, who is a member of the district board and who was present to-day, when I asked him about it he informed me that the matter never came up before district boards.

That is what has been done in the past.

As regards the municipalities, I must say that a reference is sometimes made, but it is simply nominal: because there is a Police officer, Excise officer, Collector and perhaps additional Police Officer and there it is decided to give an opinion when the majority is of Police and Excise officers. Even when a municipality expresses its opinion it is now and then that it is accepted. I am making these remarks with a view that Government will show that they really intend and mean to carry out this resolution and not to interfere with the liberty of the district boards and municipalities to whom the local option is being given.

With these remarks I support the resolution of Mr. K. L. Rallia Ram.

**Pandit Daulat Ram, Kalla.**—There is no doubt that it has been the policy of Government to discourage the sale of

liquor. But that discouragement has always been by way of increasing the price of liquor. That has been the policy of Government for a long time but there has not been a corresponding decrease in the consumption of liquor. This shows that that policy has not met with success which it was hoped that it would achieve. On the other hand the result of that policy has been that those persons who possess large property if they were to become insolvent in five years they would now become insolvent within two years as they have to pay much more price for the liquor than they used to pay before. Therefore, it is very necessary that some steps should be taken to stop this evil. I would not have stood up, but I have simply stood up to meet Mr. Fagan's argument. He says it is interfering with the personal liberty of the public. I say it is not, because the principle of local option does not involve that we are going to stop the import of liquor in any town. If one wants liquor he cannot purchase locally but he can have from Karachi, Delhi and from other places. It is simply in consonance with the policy of Government. We are only making liquor more expensive. A man can have liquor but he has to pay a little more price. Therefore I will insist that this House will pass this resolution unanimously.

**Khan Bahadur Rai Wali Muhammad Khan,** spoke in Urdu and, said that he whole-heartedly supported Mr. K. L. Rallia Ram.

**Mr. C. M. King.**—The mover of this resolution was kind enough to name me in his opening speech as an upholder of temperance and he was good enough to make a reference to what I did, when I was Deputy Commissioner of Amritsar, in the matter of segregating liquor shops from the town of Amritsar. I may state here that if I could see any practical possibility of supporting this resolution, I would do so very gladly because, as a District Magistrate and Deputy Commissioner I have unfortunately seen those evils which drink brings in its train, but we

have to see that in avoiding and doing away with the evils of drink we do not run into certain other evils which may possibly be very much worse. I wonder, Sir, if the mover of this resolution has quite realized what the effect of it will be in a district like Amritsar and Ferozepore. I am not thinking so much of the towns but I am thinking chiefly of the country. If we consider the towns only, Mr. Daulat Ram's argument is correct, that liquor can be imported from outside by those who want it. But I may say, Sir, that a greater part of evils of drink occur not in towns but in rural areas. If by the exercise of local option you were to shut down all the liquor shops in districts like Amritsar or Ferozepore, I am afraid that the immediate result would be that the people in the rural areas would not be able to obtain their drink in as easy a way as the townsmen. We cannot expect the inhabitant of a village, which is about 30 miles away from the railway station, to make arrangements for importing liquor for his own or his family's consumption for two or three months, and yet he wants drink. There is only one course open to him and that course is illicit distillation. Now, Sir, I believe the effect of having illicit distillation on a large scale in rural areas would in fact be far worse an evil than any evil which has come to my notice as a result of drink. It was this practical difficulty that I have always met with in closing down liquor shops. As a Deputy Commissioner I have frequently toured in villages and in certain cases the whole village has turned out and requested that the liquor shop in that particular village be shut down. Unfortunately these people did not want to stop drink. They only wanted to stop the consumption of liquor in their village. When you ask them what was to be done if the liquor shop was to be shut down, the answer that was invariably given was that it should be opened in a neighbouring village. In other words the inhabitants of that village wanted drink but they did not want the inconvenience of having people from other villages to come to their village and

drink with the necessary consequences. They usually chose as places for shops villages whose inhabitants were not on good terms with them.

I can see no other effective way of stopping illicit distillation but the most severe laws against it, and I see that the results of those severe laws will be a great extent of corruption in the Excise Department. But if you are not going to have severe excise laws to stop it, there is one course which may help you, and it is this that the cultivation of sugarcane should be stopped altogether. If you do that, you will entirely stop illicit distillation, but I cannot imagine that any member is willing to go to that extreme. As I have already said, I entirely sympathise with Mr. Rallia Ram's resolution, but I think the time has not yet come when we can trust to local option, pure and simple. We might possibly be able to have it in towns, but in rural areas certainly not.

**Rai Sahib Sardar Harnam Singh.**—Sir, I move that the question be now put. The motion that the question be now put was carried.

**Mr. K. L. Rallia Ram.**—Sir, I have listened with very great interest to the speeches that have been made so far on my resolution, and I am gratified to find that the consensus of the Council is in my favour. I am very thankful to the Government that they have met us halfway. They agree that it might be tried in municipalities. We must remember, Sir, that whenever there is any new measure to be introduced, there are always many difficulties in the way. I admit there will be very many difficulties in the carrying out of this measure, but that is no reason for giving it up. There are always bound to be difficulties in the introduction of new reform. Even the Reform Scheme itself encountered many difficulties, but here we have it now working all right.

It has been suggested that there will be illicit distillation, if this resolution is carried into effect. But this is no argu-

ment against the proposal. There are laws against stealing, but we see that thefts do occur. Does this mean that the laws should be relaxed and repeated altogether? In that way, the whole of the Penal Code may be relaxed.

Then Mr. Fagan said that it will interfere with personal liberty. That reminds me of a short story that I read sometime ago. Once a man was being drowned in the river. Another man was standing and watching him on the bank struggling for life and he kept quiet till the man was drowned. The Police asked him why he did not try and save the drowning man; he replied: 'I was not introduced to him before, and I did not wish to interfere with his personal liberty.'

We must have practical schemes to work through. It is the most practicable scheme and nothing could be better. After consulting all those who are concerned, local option is to be given. It would be useless to have the individual votes of the people. If we asked them to come to the polling stations and vote their opinion, that would make the matter very complicated. The district boards and municipalities are the most representative bodies and under the new Act, most of the members now will come through election, and they would be the custodians and guardians of public good and public peace. They will consult their own constituents, and it will be for them to decide what is the general desire. Of course, I admit that the right of appeal may be given to those who wish to have drinking. It is open to them to apply to Government against such a proposal, and the Government after going into the case carefully might overrule the decision of the body. If the Government wish to co-operate with the people, as they say, I think they ought to give them the chance of working out this measure. They ought not to prejudge the whole case. There must have been difficulties in America when this proposal was brought forward, but now there is total prohibition. I heard

the Hon'ble Lala Harkishan Lal referred a few days ago to some people who were drunk in America on the Christmas Day in spite of the prohibition. But I should like to know the number of people drunk on a Christmas Day in America before the prohibition.

I think this is a most feasible and most practicable scheme which we are putting before the Government, and I hope they will accept it. Let us have this measure as an experiment for five years, and after this period, if the results are not satisfactory, they can repeal it. It is admitted that the evil is on the increase, and it must be checked. I am sure the Government desires to co-operate with the people, and will do everything to help us to remove this curse of drinking. Let us have it for two years even, and if the system proves a failure, and if in spite of it the evil is on the increase, we can give it up. I hope the Government will accept the scheme, and if after two years it is also proved a failure then by that time we may be able to formulate a better scheme. I would therefore request that, as this is in accordance with the sense of the Council, which as Mr. Harkishan Lal has pointed out is part of the Government, we may all unanimously agree to give it at least a fair trial. That is all I want.

The Hon'ble Lala Harkishan Lal, who spoke in Urdu, said that much had already been said on the subject before them and he only wished to say a few words. He pointed out that it was the policy of Government to do all that lay in its power to curtail the use of liquor. It was not because they desired to retain the revenue which they derived from excise that he wished to oppose the resolution, but it was because the acceptance of the resolution placed the Government in an impracticable position. Referring to figures quoted by Mr. Rallia Ram in his speech showing that the manufacture of spirit totalled eight lakhs of gallons, the Hon'ble Member pointed out that that figure did not represent the consumption



in the Province. A very large proportion of that—three lakhs of gallons—were bought by the sub-province of Sindh; and yet another proportion went to the Central Provinces. He said, however, that the real difficulty in accepting this resolution was the meaning to be attached to the words 'local option.' If the meaning was that district boards and municipalities had it in their power to prohibit traffic in liquor in their administration, the position of Government would be a very difficult one, and everybody with administrative experience would realize the impossibility of the position.

It had been suggested that the result of the resolution would be simply to raise the price of imported liquor to so high a figure that the consumption must automatically decrease. If the Council thought so, then they had a very simple remedy in their hands, namely, to raise the duty on all liquors. He finally reiterated the assurance which he had already given that Government would do all in

its power to limit the traffic in liquors and drugs of every description, and he hoped that the mover of the resolution would accept this assurance and withdraw his motion.

**The Hon'ble the President.**—The motion before the Council is that 'the Council recommends to Government that the principle of local option, exercisable by municipalities and district boards, be applied, so far as practicable, to the sale of intoxicating liquors in the province at an early stage.'

A division was taken with the following result:—

For the motion	...	39
Against "	...	13
Majority for "	...	26

The resolution was declared carried.

The Council adjourned until 10-30 on 19th March.



## PUNJAB LEGISLATIVE COUNCIL.

*Saturday, 19th March, 1921.*

The Council met at the Council Chamber at half-past ten of the clock. The Hon'ble the President in the Chair.

### ADJOURNMENT OF THE COUNCIL.

The Hon'ble Sir John Maynard.—Sir, with your permission, in continuation of what was said yesterday, I would like to make a statement about the arrangements of the *Gurdwaras*. It is proposed to introduce emergency legislation on this subject on the 5th of April, so it is suggested that the Council shall adjourn to-day and meet again on the 5th of April. Every endeavour will be made to place in the hands of the members of this Council in good time before the 5th of April a translation of the proposed Bill.

Mr. C. A. H. Townsend.—Can Sir John Maynard say how long the proceedings will last?

The Hon'ble Sir John Maynard.—It is hoped that the proceedings will not be much prolonged, but it is difficult to say with certainty how long they will take.

### STATEMENT *RE* DECISION OF THE GOVERNMENT ON THE MOTIONS CARRIED IN COUNCIL.

The Hon'ble Sir John Maynard.—Sir, with your permission, before introducing the supplementary grants, I wish to make a brief statement to the Council regarding some of the matters on which decisions have been reached by it, in order to make plain to them as to what is the spirit in which Government is approaching the decisions arrived at by the Council in its preceding resolu-

tions. I cannot, at the present stage, make any exhaustive statement, but I only propose to make a statement on those decisions which have direct or close effect on the Budget.

In the first place, I should explain the question as regards the payment of the Amritsar compensation. In regard to that the action which will now be taken is that Government will address the Secretary of State in order to obtain his sanction to the payment which the Council has recommended. When the Secretary of State has sanctioned the proposal a supplementary demand will be laid before the Council for its sanction.

Then in regard to the subject of compensation to those who were killed and injured at Jallianwala Bagh and other places during the disturbances the steps taken will be to appoint at an early date a Committee in accordance with the resolution of the Council on the subject, which will investigate the question and will report in due course. After the proposals have received sanction a supplementary grant will be asked from the Council in order to provide for the payment, or, if necessary, the matter will be dealt with in the next year's Budget.

The next point on which I wish to say something to the Council is the disallowance of the proposed expenditure on certain Settlements. The action which the Government proposes to take is to come up with an application for supplementary grants at the session which will take place in July. At that time revised proposals will be submitted to meet the

objections expressed in the Council regarding the corruption, worry, and expense of Settlement operations.

The next point is the resolution with regard to the increase of pay of Zaildars, Sufedposhes, and Lambardars. The Council, I think, fully realized at the time when this question was discussed that a very large annual recurring payment was involved by this proposal. The amount is 88 lakhs of rupees annually, and it causes a certain amount of difficulty in endeavouring to carry out the resolution of this Council. It is not only the financial difficulty, but there are certain other difficulties. For instance, there are questions as to the manner in which payments to be made by assignees of the land revenue are to be dealt with. There is also a section of the Land Revenue Act—Section 29—which fixes a maximum for the payments to be made to the village officers. In order to give effect to the resolution of the Council it will be necessary to introduce legislation for increasing the rate of the village officer's cess. I think I need not go further into details at this stage, but I may say that the Government is particularly anxious that when the Council passes a resolution either action should be taken on that, when it is possible, or at all events such enquiries should be made as will enable the Council or representative Committee of the Council to decide to what extent action is feasible. In this particular matter, therefore, the action proposed to be taken is this: that Government will proceed to collect certain statistics of actual emoluments and thereafter will appoint a committee on which it is proposed to put those Members of the Council who took a prominent part in asking for this increase to be made, and will ask them to consider the legislation which will be necessary to give effect to their proposal, and then to submit their report for consideration of Government and the Council.

Another point for consideration is this: Council expressed a great desire for the examination of financial arrangements with

the central Government and for explorations of means for improving the financial position of the province. In this connection it disallowed part of grant that was demanded for the Railway Police. In order to deal with this matter Government will examine the question of liability for the maintenance of the Railway Police, and in asking, if it is found necessary for a supplementary grant for the Railway Police in the July session, the Government will fully explain to the Council what the actual position is and will give the Council an opportunity of making up its mind as to what action is desired under the circumstances.

Next I come to the question regarding the abolition of the Publicity Committee in its present form. This is being carried out with all possible expedition, but it is necessary that a supplementary grant be made to enable Government to wind it up and to meet the existing engagements and also to give proper notice to the establishment which will have to be dismissed.

Then there is the question on which opinions were expressed in the course of the Budget discussion regarding the move of Government officers to Simla. As to that I will renew the assurance which I gave to the Council that the matter will receive very close examination and scrutiny from Government, both as regards the number going up and the duration of their stay. I think the fact that it is intended to hold a session of this Council at Lahore in July will show the spirit in which Government is approaching this question.

There is only one more matter which I would like to touch, and that is the reduction of one lakh from the grant for Public Prosecutors. I was unfortunately not present in the Council when this question was discussed, but I understand that at the bottom of what the Council meant by that reduction was that it did not like the present method of appointing Public Prosecutors, and that it had the impression that legal qualifications were not given the consideration which they ought

to have been given. As to that I may assure the Council that the first consideration which has been and will be borne in mind with regard to these appointments will be legal and professional qualifications of the applicants. When there are two candidates, who are practically equal, then certain other considerations may come into play.

The Council may rest assured that qualifications, capacity, and legal professional qualification will be the first consideration.

Having explained so much I do not pretend that it is an exhaustive explanation, but is only an attempt to show to the Council the spirit in which the Government is dealing and propose to deal with its decisions and resolutions. I now proceed to move a supplementary demand for grant of Rs. 1,16,994 under the head 26—Police.

The Hon'ble the President.—It will be better if the remarks of Sir John Maynard are interpreted at this stage.

(The remarks were interpreted to the Council.)

## GOVERNMENT'S SUPPLEMENTARY DEMANDS FOR GRANTS.

### POLICE GRANT.

The Hon'ble the President.—The Council will now proceed to consider the Government's Supplementary Demands for Grants. I will take these in their order. The first demand is under the head 26—Police.

The Hon'ble Sir John Maynard.—Sir, I beg to move that a grant of Rs. 1,16,994 under the head 26—Police be sanctioned by this Council. The first portion of this is a small grant for the purpose of the currency office at Lahore which at present has no police guard. I want to explain that at Lahore the treasury is separate from the currency office. They are entirely two different buildings situate at considerable distance from each other, and there is no provision

for the police guard—at the currency office. The currency office is a building in which very large sums in currency notes are deposited, and it would be dangerous to leave that building without an adequate guard. It is necessary, therefore, that a separate guard should be provided for it. That is the first item. It amounts to Rs. 1,692.

Then there is a large item as to which this Council will necessarily require full explanation. This large item makes provision for an additional force of police. I should explain that this additional force of police is definitely intended to be temporary. It has been calculated on the assumption that something like 500 men will be required for six months. But the Government in this sum to be sanctioned by the Council will preserve to itself the discretion of appointing a different number of men of various capacities always on the understanding that the total sum sanctioned by the Council is not to be exceeded. All I need say on this subject, of course, is that this has been necessitated by the very abnormal conditions now prevailing in the Central Punjab. I think that members in this Council are well aware that the conditions in some of the districts of the Central Punjab are almost threatening. It has been necessary to send troops to three places in order to preserve order. It is not possible to say to what extent further demands of that kind might become necessary in the immediate future. It is not desirable to employ troops for a long period for this purpose, and it is in these circumstances that Government has decided to ask the Council for a supplementary vote in order to make it possible to employ the necessary force to maintain peace and tranquillity in the Province.

The Hon'ble the President.—Two notices have been handed in under this head, both in the name of Mr. Ganpat Rai. The first is that the grant of Rs. 1,692 for extra police be reduced by Rs. 100.

Mr. Ganpat Rai.—Sir, I move this motion so as to ascertain whether this is a proper

provincial charge or whether it is an imperial charge. So far as I have been able to discover the currency office is an imperial office and has nothing to do with the provincial Government, except that it issues notes for the exchange of money. It is on that ground that I would like to have some information why the Imperial Government should not bear the cost of the police employed in guarding the currency office. After I have got some information I will either withdraw or press my motion.

**The Hon'ble Sir John Maynard.**—The explanation is, Sir, that it is necessary for the provincial Government to undertake the liability of guarding property, even though it belongs to some person other than the provincial Government. That is the position. It is always recognised that it is the duty of the provincial Government to provide security for personal property within its boundaries, and the fact that the Currency Department is an Imperial Department does not in any way alter that obligation.

**Mr. Ganpat Rai,** speaking in Urdu, said that as the currency office belonged to the Imperial Government, the expenditure should be borne by the Government of India.

**Malik Firoz Khan.**—Sir, it might interest the Council to know from Sir John Maynard what has hitherto been done to protect the currency office.

**The Hon'ble Sir John Maynard.**—It has been protected up till now by reducing the guard on the treasury which is not considered to be a safe thing to do.

**Mr. Manohar Lal.**—Sir, is there any information available as to how the expenses of police guards on currency offices in other Provinces are met?

**The Hon'ble Sir John Maynard.**—I think, Sir, there is no doubt at all that every province performs its own police duties and pays the bill. Sir, this Council has shown itself singularly

generous with the public money of which it is the trustee. This Council decided to give away Rs. 18 lakhs in payment of the compensation due at Amritsar. It decided to add a burden of Rs. 33 lakhs per annum in order to effect a general doubling of the pay of Zaildars and Lambardars without any investigation whatever of the needs of particular cases. I understand it is now suggested.

**Mr. Manohar Lal.**—Is it open, Sir, to any member to go into questions which have been previously determined?

**The Hon'ble Sir John Maynard.**—I draw the attention of this Council to its former decisions by way of inculcating an inference. If this Council should now, in addition to these very generous decisions, decide that it does not think it necessary to provide adequate protection for very large sums of public money lying in the currency office, for which no adequate protection has yet been provided, I think we shall think it very unfortunate if by some accident a theft on an extensive scale were to take place from that building.

**The Hon'ble the President.**—The motion before the Council is that the grant of Rs. 1,692 for extra police be reduced by Rs. 100.

The motion was put and lost.

**The Hon'ble the President.**—The next motion is that the sum of Rs. 1,15,217 provided for temporary additional police be omitted.

**Mr. Ganpat Rai.**—Sir, I beg to move the motion which has been read out. I may explain that I am not against the entertainment of additional police to preserve peace and order. In fact, if there is a real necessity for more police, by all means let more be entertained in order to preserve peace and order. But my objection to this amount lies in the fact that the persons whose property and whose lives this additional police is going to guard are able to pay the charge, and there is no reason why they should not be made to pay. I know personally that

several people interested in those shrines made verbal and written applications that they were willing to pay for additional police if that was provided. Why then, when they are able and willing to pay, should the cost not be recovered from them? Government may, perhaps, advance it for the present. In the case of the *Gurdwaras*, which are not in a position to pay, the Government might make up the deficiency by realizing it from the rich *Gurdwaras* which are willing to pay. This is the object which has induced me to bring this motion before the Council. I think that provincial revenues should not be burdened with this charge.

**Malik Firoz Khan**, who spoke in Urdu, said that it was the desire not only of the Government but of the people that peace and order should be maintained. He could not, however, support Mr. Ganpat Rai that the expenditure involved in providing extra police should be recovered from the *Gurdwaras* merely because they were in a position to pay the cost. It was no argument at all that a man should pay the Government for protecting his life and property merely because he was rich. The principle was entirely wrong. It was the business of Government to meet such a charge from the public revenues. He concluded by saying that it was very necessary at this juncture in the Punjab, when the Sikhs were in an excited state, to maintain peace and order.

**Sardar Bahadur Sardar Mahtab Singh**.—Mr. President, Government has put in the schedule which is placed before us the following item, Rs. 1,15,217, on account of temporary additional police, rendered necessary by the disturbed state of the Central Punjab, particularly by the disputes regarding the management of certain *Gurdwaras*. Sir John Maynard has said very little about the *Gurdwaras* and I should like to say a few words about them because it would appear from the remarks of my learned friend Malik Firoz Khan that this item is meant mainly to protect Sikhs from Sikhs.

**The Hon'ble the President**.—I hope that the Deputy President is not going to raise a general discussion about the *Gurdwaras*. The Council has already devoted a whole day to this matter. The sole question now before the Council is whether money should be allotted to meet the cost of additional police on account of the disturbances.

**Sardar Bahadur Sardar Mahtab Singh**.—That is what I am going to show, I think that the police are not necessary. The general disturbed state of the Central Punjab is a subject which I leave to the Government to explain, and members like Raja Narendra Nath, Mr. Ganpat Rai, Mian Shah Nawaz, and Mian Muhammad Husain, and other stalwarts of this Council to discuss. I wish only to make a few remarks about the extra police said to be required for the *Gurdwaras*. To start with I might say that if Government wishes to control the sacred places of the Sikhs against their legitimate aspirations for reform then twenty times as much police will not be sufficient.

**The Hon'ble Sir John Maynard**.—Sir, may I say at once that there is no such intention on the part of Government.

**Sardar Bahadur Sardar Mahtab Singh**.—But if the Government wants to carry out the reforms in a sympathetic attitude no police whatever are required, and it would be a sheer waste of money to grant the demand. Sir, my unfortunate community has lately been the subject of the exclusive attention of the police. Recent *communiqués*, though ostensibly emanating from the executive Government, must have been as usual based on the news originally supplied by the Criminal Investigation Department or the local police stationed at Nankana Sahib. The way in which the news and rumours have been spread and arrests made by the police will be called scientific.

**The Hon'ble the President**.—I cannot allow any general discussion. There is

no question of the attitude of the Criminal Investigation Department.

**Sardar Bahadur Sardar Mahtab Singh.**—I was going to put before the Council what the police have been doing at Nankana Sahib. And if they are going to continue to behave in that way it would not benefit either the people or the Government. I can show from the past behaviour of the police at Nankana Sahib as to how they are likely to behave in the future.

**The Hon'ble the President.**—You can proceed, but you must not drag in general questions.

**Sardar Bahadur Sardar Mahtab Singh.**—First of all the Associated Press gave out to the outside world the numerous stories of anarchy and serious offences being .....

**The Hon'ble the President.**—I cannot allow the conduct of the associated press to be discussed on this vote.

**Sardar Bahadur Sardar Mahtab Singh** (continued).—It was further stated that "these stories, so enquiry from authorities reveals, have not yet been authenticated, but similar complaints are numerous and an electric atmosphere prevails." This was almost at once followed up by Government *communiqués*, couched in almost the same words. Then followed wholesale arrests by the police not only at Nankana Sahib but at various other places also. A strange and special feature in almost all these arrests by the police is that Sikhs are charged with committing dacoities in their own *Gurdwaras* and places connected with their holy *Granth Sahib*. It has yet to be proved in courts of law that the Sikhs who were ready to die in hundreds to save their holy places from sin and pollution could be guilty of robbing the *Granth Sahib* of its very wraps. Sir, there is a suspicion in the minds of men and a general idea in the Sikh community that the police are everywhere following a well-defined policy in applying section 395, Indian Penal Code, to send the Sikhs to jail as sections of the Penal Code

applicable to forcible possession and dis-possession are all bailable.

Sir, there are serious allegations of false rumours having been spread in order to create a breach between various communities and the Government should see that no part of the odium unjustly falls on the police. Truth cannot remain concealed for ever, not even for long, if there are men to force it out into the light of day. Some honourable members of this Council who at first expressed to me their great rage and resentment against my community have since expressed their sincere regrets for their hasty expressions. It is when feelings of peace and goodwill are again beginning to regain ascendancy that the Government comes to this Council for extra police for the *Gurdwaras*. We, the Sikh members of this Council, are in helpless and hopeless minority. Hindus, Muslims and even official members can separately defeat us and brush our wishes aside. We appeal to all that we have already suffered much and that we do not want this extra police for our *Gurdwaras*. The police have a knack to make themselves active and their activities may lead to the creation of another "electric atmosphere" and trouble and misery for the Sikh community. We do not want police as we are desirous of peace and goodwill near our sacred places. Our women frequent our *Gurdwaras* at every hour and we do not wish them to go there alone if there are police guards present there. Hundreds of our men have died or are in jail and they have already created a void and a gap in our minds and in our ranks as we are but a small community. Keeping extra police or guarding *Gurdwaras* by police would be virtually shutting them in our face, and closing them for our daily worship. Already some of them are locked up and the holy *Granth Sahib* shut up inside them. Why so much distrust and hardship and why so much repression against a loyal and devoted community? Does not the Government remember that we are the same Sikhs, who have shed our life's blood in Britain's cause over the battlefields of the wide world? Let our



Muslim brethren remember that we have stood by them in their efforts to redress the Khilafat grievances. Surely our Hindu brethren do not wish to make us over to this extra police, who must find some business, and if there is none, to create it to keep themselves busy. Surely if there is a sudden emergency the Government has already a vast police force at their command and which they can detail from other districts. Then there is the strongest military machine of modern times at the disposal of the Government, I mean the Indian Army, which is already being used for taking away axes and *takhies* from the Sikhs. Sir, we are waiting for the Government's return to a reasonable frame of mind, before we approach them to make inquiries into the state of things that has been prevailing at Nankana Sahib for the last few days. We have a right to ask, as we shall ask, that light should be thrown on the doings of the police and the military at our Saviour's birth-place. When Vakils and editors are deprived of their walking sticks and canes and insulted before entering Nankana Sahib, when women labourers are kept shut up in a cotton factory for a whole day and night separated from their children and when many similar allegations of police and military high handedness are being made and also published in the press, it will be the duty of the Government to make full inquiries in order to satisfy public opinion. Until the Government does that, no extra police should be allowed by this Council. His Excellency the Governor has wide and unchecked powers to spend any amount of money for such a purpose in cases of emergency, and it is not necessary that this Council should be a party to it in a face of our strong protest. Mr. President, in the end I appeal to all the members to refuse this demand and I should advise the Sikh members at any rate to vote against it. I would ask the Hon'ble Khan Bahadur Mian Fazli Husain, who is in charge of our *Gurdwaras*, to deal with us mercifully in this hour of our trouble and we shall try to forget his treatment of our community in the Advisory Committee on Reforms.

**Mr. Ganpat Rai.**—After hearing the last speaker I think that I made a mistake in putting my motion before the Council. I beg leave to withdraw it.

**The Hon'ble the President.**—The motion before the Council is that leave be given to Mr. Ganpat Rai to withdraw his motion.

The motion was by leave withdrawn.

**The Hon'ble the President.**—The motion now before the Council is that a grant of Rs. 1,16,994 be sanctioned under the head 26—Police.

**Mian Muhammad Shah Nawaz**, who spoke in Urdu, said that Mr. Ganpat Rai had made a mistake in asking leave to withdraw his motion. Muhammadans were also interested in the *Gurdwara* movement.

**The Hon'ble the President.**—I am afraid that the Hon'ble Member is again dragging in the *Gurdwara* question. The Council has just expressed its decision on this matter.

**Mr. E. Joseph.**—Sir, the question may now be put.

**The Hon'ble the President.**—The motion before the Council is that the question be now put.

The motion was put and a division taken, with the following result:—

For the motion	...	51
Against the motion	...	11

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Majority for the motion ... 40

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The motion was declared carried.

**Sardar Bahadur Sardar Mahtab Singh** (excitedly).—Sir, I protest.

**The Hon'ble the President.**—I am surprised that the Deputy President should set such an example. He should respect the decision of the Council.

**Sardar Bahadur Sardar Mahtab Singh** (standing and with excitement).—Sir, I till protest.

**The Hon'ble the President.**—Order, order. The Deputy President should resume his seat when the President is standing and should respect the authority of the chair. (The Deputy President remained standing.) Sit down, Sir, your conduct is becoming disorderly. (The Deputy President then resumed his seat.)

**The Hon'ble the President.**—The motion before the Council is that a sum of Rs. 1,16,994 be voted under head 26—Police.

The motion was put and a division taken, with the following result:—

For the motion. ... 50

Against the motion ... 13

Majority for the motion ... 37

The motion was declared carried.

### EDUCATION (TRANSFERRED) GRANT.

**The Hon'ble the President.**—The next matter before the Council is under the head 31—Education (transferred). Under this head fall both the sums of Rs. 10,000 for the improvement of the Oriental College staff and Rs. 3,000 for a Punjabee Dictionary.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Sir, I beg to move that a grant of Rs. 13,000 be voted on account of major head 31—Education as shown in the following statement:—

Major head.	Minor head.	Amount.
		Rs.
31—Education.	University—	
	For improvement of Oriental College staff.	10,000
	For Punjabee Dictionary.	3,000.
	Total ...	13,000

Sir, I need say only a few words in support of this grant. The first item of Rs. 10,000 is needed to improve the pay of the Oriental College staff which is necessary. The Oriental College is one college of its kind throughout India and that is the one college of its kind that is supported by the Punjab University. I have no doubt, Sir, that this Council is keenly alive to the need of maintaining a high standard of efficiency in the oriental languages prevailing in the province and that this small item which I am claiming for that purpose will be welcomed by them.

The second item of Rs. 3,000 is needed because the work of Punjabee Dictionary is to be completed. A dictionary in Punjabee does not exist at present, and a considerable amount has already been spent in preparing one, and this small item is required in order to bring this task to completion. I trust that this will also find favour with the Council.

**The Hon'ble the President.**—The motion before the Council is that a sum of Rs. 13,000 be voted under major head 31—Education (transferred).

The motion was put to the Council and carried.

**The Hon'ble the President.**—Mr. Minister, the Council grants you Rs. 13,000 under head 31—Education (transferred).

### MEDICAL GRANT.

**The Hon'ble the President.**—The next motion is that a sum of Rs. 90 under the head 32—Medical be granted.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Sir, I beg to move that a sum of Rs. 90 be voted under head 32—Medical as shown in the following statement:—

Major head	Minor head.	Amount.
32—Medical ...	Establishment Telephone.	Rs. 90.

I need hardly add that this was a necessity. I trust the Council will kindly grant this amount.

**Mr. Ganpat Rai.**—Will the Hon'ble Minister kindly explain how this sum of Rs. 90 has been arrived at. I understand that the least charge for a telephone is Rs. 150.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Sir, this is an illustration of how economically this administration is working. We could easily have ordered the telephone for all the year round. But we did not require it for the whole year, and therefore we have ordered it simply for those months for which we actually require it. That is the reason why we want Rs. 90 for it.

**The Hon'ble the President.**—Is the member satisfied?

**Mr. Ganpat Rai.**—Yes, Sir, I am satisfied.

**The Hon'ble the President.**—The motion before the Council is that a sum of Rs. 90 under head 32—Medical be granted.

The motion was put to the Council and carried.

**The Hon'ble the President.**—Mr. Minister, you are granted Rs. 90 under head 32—Medical.

## GRANT FOR AGRICULTURE.

**The Hon'ble the President.**—The next motion is under the head 34—Agriculture.

**The Hon'ble Lala Harkishan Lal.**—Sir I beg to move that Rs. 18,000 be granted to me under the head Agriculture for co-operative credit purposes. I need

hardly make any elaborate speech on the subject. The details are given below :—

Major head 34—Agriculture.	Minor head Co-operative Credit.	Rs.
	1. Employment of 3 Inspectors.	18,000
	2. Employment of 1 Sub-Inspector.	
	3. Employment of 2 clerks and 2 peons.	
	4. Their travelling allowance and contingencies for consolidation of agricultural holdings.	

I dare say, Sir, that gentlemen that hail from the rural districts know that the co-operative movement has now entered on an enterprise which is entirely in the interests of agriculturists and that is the consolidation of dislocated, disjointed; and spread-over holdings of individual tenants and individual proprietors. It has been found by experience that if these holdings are consolidated they will produce more income than the disunited holdings. It is the intention of Government to extend the experiment of consolidating holdings and start propaganda work by means of which people may be induced to consolidate their small holdings, and I think it should be welcomed by the Council. I need say no more on the subject.

**Khan Sahib Chaudhri Fazl Ali,** who spoke in Urdu, dwelt at length on the necessity and advantages of such a system. He then began to discuss agricultural farms.

**Chaudhri Bans Gopal.**—Sir, I rise to a point of order. The Hon'ble Member is wandering off the subject.

**The Hon'ble Mr. Harkishan Lal.**—I should be glad to receive privately the speech prepared by the Hon'ble Member, and I dare say I will benefit by it.

**Mr. Ganpat Rai.**—Sir, I wish to ask a question. What is the pay of the peons

fixed? I am being bothered by peons and I want this information.

**The Hon'ble Lala Harkishan Lal.**—Rs. 14-0-0 per mensem each.

**The Hon'ble the President.**—The motion before the Council is that a sum of Rs. 18,000 be granted under head 34—Agriculture.

The motion was put to the Council and carried.

**The Hon'ble the President.**—Mr. Minister, the Council grants you a sum of Rs. 18,000 under head 34—Agriculture.

### INDUSTRIES (TRANSFERRED) GRANT.

**The Hon'ble the President.**—The next motion is under the head 35—Industries (transferred).

**The Hon'ble Lala Harkishan Lal.**—Sir, I beg to move that a grant of Rs. 1,14,844 be granted to me under the head 25—Industries. There are various details under which I require the sum. I will read them from the bottom.

The first is the Industrial Advisory Boards. We yesterday felt that the Advisory Boards were very necessary and I assured the mover of the resolution, Chaudhri Bans Gopal, that we were already engaged in organizing such Boards. But somehow the travelling charges of these Boards were left out of the original Budget, and on that occasion I brought this fact to the notice of the Council. By making this provision we are doing the very work which the members want us to do.

I also inform the Council that we were giving instructions in tanning and were trying to improve tanning industries in the province. We had not charged the expenses in the original Budget, which we are now doing.

Sericulture is another subject which has gone to the Director of Agriculture

now. It was under the Director of Industries before, and is still there at present. It is therefore that the item is required under this head. We have a sericulturist expert and we have some land where we are cultivating mulberry trees with a view to grow silk.

Then there is a dyeing school which we have sanctioned. So far as this provision is concerned, we want the money for the staff, and this is Rs. 16,000.

We want Rs. 18,540 for staff and other expenses. There are several weaving schools, zenana and others, and we want altogether Rs. 36,492 for weaving central co-operative stores, and under weaving and zenana schools, textile establishment and stipends. I have already referred to those schools. There are five outside Lahore and there is one central school here, and there are some zenana schools, not exactly connected with weaving but with knitting, and so on. We want to keep these schools going and we want Rs. 36,000 odd for the purpose.

Then there is a new institution which I will explain in a little more detail. First of all the word "van" must be read as "caravan." I wish to explain this item fully because Mr. Ganpat Rai, one of the stalwarts of the Council, is again at my heels over this item. For his benefit I might explain that this caravan is a sort of travelling abode for the Director of Industries which will provide him with sleeping quarters, a kitchen and office when he is on tour. He has been at pains to find out how to reduce the tour expenses of officers, and he has suggested to Government that these travelling caravan-serais, so far at least as he himself is concerned, will reduce the expenses of travelling to a great extent. He thinks that after he has demonstrated that fact himself, these caravan-serais will come into more-general use. He also proposes that other officers can, if they like, make experimental use of the van, and that he will be very glad also to give the members of this Council a ride in it if they so desire. If however, the Council is not inclined to allow this expenditure this year, I have

no objection to postponing it for the present, and I will be satisfied with Rs. 1,05,840, reduced by Rs. 1,200.

**Mr. Ganpat Rai.**—Sir, this morning the Hon'ble the Finance Member reminded us of our generosity in remitting the Amritsar indemnity and in providing Rs. 88 lakhs for the pay of zaildars and lamdardars and asked us not to be illiberal in regard to the police for the currency office. I would therefore appeal to the Finance Member and the other members of the Government and ask whether this item of expenditure leans towards economy or extravagance. In my opinion this is nothing but an extravagance, unless we are able to reduce the travelling allowance bills of these officers. We are told that this caravan-serai will provide sleeping quarters and kitchen and office, it is therefore quite reasonable to assume that some deduction can be made out of the travelling allowance of the officers who are going to use it; but no such reduction has been signified. We are now asked to meet a recurring charge of Rs. 1,200 and a non-recurring charge of Rs. 9,000, and probably after a year or two this motor van will go out of order and we shall be asked to provide another Rs. 9,000 for a new van. But in addition we shall have application from other high officers asking us to provide them with similar vans. In my opinion this is nothing but a waste of money on a luxury which we cannot afford, at least this year. The Hon'ble the Minister for Industries has been pleased to observe that if this Council does not wish to grant this sum he has no objection, and in the circumstances I hope the Members of this Council will not permit this unnecessary expenditure of public money. It might do so perhaps in the future if the cost incurred on these vans is balanced by the money recovered from the sale of rest-houses.

**Sayad Muhammad Hussain**, who spoke in Urdu, said that the first and the foremost need in the province was the Primary education, and that it was the duty of this Council to provide elementary education first of all and then caravans and

other things. He said that this van could be easily postponed for this year at least, and hoped that the Council would disallow this expenditure.

**The Hon'ble the President.**—The motion before the Council is that a sum of Rs. 10,200 be reduced on account of the motor van.

The motion was put and declared carried.

**The Hon'ble the President.**—Deducting Rs. 10,200 from the total demand there remains Rs. 1,04,644. The motion before the Council is that this sum be granted.

The motion was put and carried.

**The Hon'ble the President.**—Mr. Minister, the sum of Rs. 1,04,644 is granted to you under head 35—Industries.

#### GRANT ON ACCOUNT OF EXCHANGE.

**The Hon'ble the President.**—The next motion is that a sum of Rs. 8,75,000 be granted on account of exchange.

**Mr. B. T. Gibson.**—Sir, I beg leave to move that a grant of Rs. 3,75,000 be voted on account of loss by exchange. I may explain briefly that when the Government of India issued orders to us about the preparation of our budget they suggested that we should make no arrangement for loss by exchange. Accordingly we estimated that we should have to pay for our charges in England at the rate of 2s. to the rupee. However, when the Government of India presented their own budget they calculated the rate of exchange at 1s. 8d. and they have allowed us to do the same. So we now estimate at this rate of exchange that our liabilities in England will cost Rs. 8,75,000 more than we provided in the budget, and this is the sum we now ask for.

**The Hon'ble the President.**—The motion before the Council is that a sum of Rs. 8,75,000 be sanctioned on account of exchange.

**Malk Firoz Khan.**—I think the Council would like to know the nature of the expenditure which is incurred in England.

**Mr. B. T. Gibson.**—There are two kinds of expenditure which are incurred in England—(1) Pensions of retired officers living in England, and (2) pay of officers on leave in England.

The motion was put and carried.

#### CIVIL WORKS GRANT.

**The Hon'ble the President.**—The next motion before the Council is that Rs. 12,755 be sanctioned under head 41—Civil Works.

**The Hon'ble Lala Harkishan Lal.**—I beg leave to move that a grant of Rs. 12,755 be sanctioned under the head 41—Civil Works, in charge of Public Works Officers. Details are given in the supplementary schedule of new expenditure in the hands of the Hon'ble Members.

**Machinery Inspector for Steamrollers and other plants and machinery.**—The Department is going to own steamrollers to make the roads and other machinery for building purposes and they have not got any experienced man to overhaul these things and to see to the repairs and their up-keep. An Inspector is now proposed to be engaged for these duties and his starting salary will be Rs. 350, which I do not think is excessive for a man of this description. I think the Council will grant it. The other item is for improving the water-supply arrangements in the Borstal Central Institution. Everywhere, I am told, in jails water-supply has not been up to the standard. I was a neighbour of this jail and I knew at the time that they had some difficulty of getting water as elsewhere. Therefore I recommend doubly as an old neighbour of this institution as well as Minister that this amount should be sanctioned.

The motion was put and carried.

#### MISCELLANEOUS GRANT.

**The Hon'ble the President.**—The remaining motion before the Council is

that a sum of Rs. 25,000 be sanctioned under head 47—Miscellaneous for winding up the Publicity Board.

**The Hon'ble Sir John Maynard.**—I beg to move that a grant of Rs. 25,000 be sanctioned under head 47—Miscellaneous for winding up the Publicity Board in accordance with the decision of this Council.

Rs.

Pay of Director to 6th October 1921 ... = 10,800

The present Director is under agreement with Government up to 6th of October and so it is necessary to pay him up to that date.

Salaries of other staff for March and April 1921 ... = 5,500

This is provided for giving time to get rid of the clerks on the establishment.

Refund of subscriptions for *Haq and Bulletin* ... = 2,000

Payment for printing of pamphlets already in Press ... = 1,000

Outstanding bills ... = 1,000

Contingencies ... = 1,000

Gratuity to staff ... = 2,300

Reserve for unforeseen expenditure ... = 1,400

Total ... = 25,000

**Sayed Muhammad Hussain.**—Sir, may I ask whether the establishment cannot be dismissed after the month of March? What is the use of keeping them after that time? I think, Sir, that unforeseen charges can also be reduced.

**The Hon'ble Sir John Maynard.**—I think one month's notice is necessary.

**The Hon'ble Lala Harkishan Lal.**—One month's notice is essential. In private



frms many decrees have been made that one month's notice is necessary.

Sayad Muhammad Hussain.—Sir, I withdraw.

Mr. Ganpat Rai.—Sir, may I ask to whom this gratuity of Rs. 2,300 is intended to be paid and whether it is not a fact that the man has already got five squares of land?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—The gentleman referred to is not included. He reverts to his own post.

Manvi Muharram Ali, Chishti, spoke in Urdu and said that it was his principle to show due respect to the dead. So he was of opinion that no further discussion should be made as regards the Publicity Board. It was no more in existence having been killed by the Council.

Mian Muhammad Shah Nawaz.—Sir, I beg to raise a point of law for the consideration of the Hon'ble the President. Can the Council really sanction this supplementary grant under Rule 32? The rule runs—"An estimate shall be presented to the Council for a supplementary or additional grant when—

- (1) The amount voted in the budget of a grant is found to be insufficient for the purposes of the current year."

Of course the present case is not covered by this clause because we totally refused the grant.

- (2) A need arises during the current year for expenditure for which the vote of the Council is necessary upon some new service not contemplated in the Budget for that year."

Of course this is not a new service. Only the other day we refused the grant altogether. The present item of Rs. 25,000 is included in that. I think the Council has no power to sanction the supplementary grant. It lies in the hands of the Governor to sanction it or not.

The Hon'ble the President.—The point is an interesting one and I shall think

over it. Meanwhile I shall put the motion to the Council.

The motion before the Council is that a sum of Rs. 25,000 for winding up the Publicity Board be sanctioned.

The motion was put and carried.

## RESOLUTION RE REMITTANCE OF LAND REVENUE, ETC., BY MONEY-ORDERS.

Sardar Sangat Singh.—Sir, I beg leave to move the following resolution standing in my name :—

"That this Council recommends to the Government that lambardars be permitted to send the land revenue and other Government dues by money-orders at the nearest post office and that no money-order fees be charged for them."

I do not think I need make a long speech in support of my resolution. Almost all the members of this Council are acquainted with the inconveniences to which the poor lambardars are put in collecting the land revenue and in remitting the dues to tahsils. The first and foremost of these is that the lambardars have to travel long distances in order to convey money safely to the tahsils, and in some cases they have to cope with the dangers of theft and robbery. Secondly, the lambardars have got to convey the money to tahsils in person, and they are obliged to travel sometimes as many as thirty to forty miles. It is a great hardship on the lambardars that while the whole population of the country can remit money by means of the banks or through the post office, they cannot make use of either of these agencies for the remittance of the land revenue, for the only reason that they are lambardars.

The third great disadvantage under which the lambardars are labouring is that they have to deal with corrupt subordinate officials of tahsils. These officials will never take charge of the Government money brought in by the lambardar unless and until he has paid them some-

thing out of his own pocket. And the amount of money which the lambardars are thus obliged to pay is estimated at between three and four lacs of rupees annually. The only way in which these hardships can be removed is that the lambardars should be allowed to remit land revenue and other Government dues by means of the post office.

The lambardars are performing a very important duty and the Government ought not to hesitate in giving such a minor concession to the poor lambardars. I hope that this Council will take into consideration the hardships endured by the poor lambardars and will place them under a deep debt of gratitude by accepting this resolution.

Sayad Muhammad Hussain, who spoke in Urdu, supported the resolution of Sardar Sangat Singh. If the system he advocated was introduced, it would go a long way towards eradicating corruption.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majlis, who spoke in Urdu, said it would be convenient to address the Council at this stage. The matter really concerned the Postal Department, which was under the central Government. The Local Government, therefore, could not ask the Postal Department to forego this fee. A way out of the trouble was for lambardars to send in their revenue by insured post. That would be more economical than sending it by money-orders.

Chaudhri Akbar Ali, who spoke in Urdu, supported the resolution. He then began to discuss corruption in the police administration.

The Hon'ble the President.—The Hon'ble member should confine his remarks to the subject under discussion. He should not discuss the police administration when the question before the Council relates to the transmission of land revenue by money-order.

Chaudhri Akbar Ali, continuing, said he did not wish to say anything more and would support the resolution of Sardar Sangat Singh.

Sardar Randhir Singh, who spoke in Urdu, said that Government ought to allow them to remit land revenue by money-order without charging the fees required, as it involved a great deal of inconvenience and trouble to lambardars to come to the tahsil head-quarters in order to deposit their collections. He was not in favour of sending the money under insured cover, as it was always open to the cashier at the tahsil head-quarters to say that the cover did not contain the amount specified.

Captain Sardar Gopal Singh, speaking in Urdu, said that there was a time when the Government collected its revenue dues in kind, and it was only at a later date that they demanded cash payments. Two years ago he raised a question similar to that under consideration by the Council, with the result that he was informed that money could be sent through the post office. In his opinion land revenue was public money, and should be sent through the post office without any sort of fee. If this course was now adopted it would be a great satisfaction to the public generally.

Khan Sahib Chaudhri Fazl Ali, speaking in Urdu, said that co-operative banks only charged four annas per Rs. 100 for transmitting money from one place to another, while the post office charged Re. 1 per Rs. 100. Where the remittance of Government revenue was concerned the relaxation of the ordinary rule would be a very proper arrangement. If necessary the Government of India might be approached in this connection, as the post office was an Imperial charge.

The Hon'ble Lala Harkishan Lal, who spoke in Urdu, said that he was himself a lambardar and wished to speak in that capacity against the motion. The best course for lambardars to adopt in sending in Government dues was to send the notes in insured covers, but instead of sending the notes intact, half notes might first be sent, and the remaining halves when the first lot had been acknowledged.

The Hon'ble the President.—The reso-

lution before the Council is in two parts. The first is that this Council recommends to the Government that lambardars be permitted to send the land revenue and other Government dues by money-order at the nearest post office; and the second is that no money-order fees should be charged from them. I understand that the Government already permits the adoption of the first course of payment of land revenue through the post office, and we need not therefore have any further discussion as to that. It will save time if the discussion is confined to the second part of the resolution.

Rai Bahadur Lala Sewak Ram, speaking in Urdu, said that he was in favour of the resolution, but there was a considerable risk of the money being lost while being sent through the post office. Lambardars should be allowed to remit land revenue by money-order and up to Rs. 2,000 no money-order fee should be charged from them.

Mr. Ganpat Rai.—I move that the question be now put.

The Hon'ble the President.—The motion before the Council is that the question be now put.

The motion was put and carried.

The Hon'ble the President.—The mover should reply on the second portion of his resolution.

Sardar Sangat Singh, who spoke in Urdu, said that he did not wish to withdraw his resolution. It was not equitable that a money-order fee should not be charged only on an amount under Rs. 2,000. All the land revenue should be allowed to be remitted by money-order without charge of money-order commission.

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia, who spoke in Urdu, said that the total land revenue was Rs. 4 crores. The insurance fee on that amount would come to Rs. 50 thousand, and the money-order commission to Rs. 4 lakhs. The Members of the Council should keep in view these big sums before vot-

ing on the resolution. The Punjab Government had not the power to exempt land revenue from the money-order commission. All it could do was to pay the money-order commission of Rs. 4 lakhs itself.

The Hon'ble the President.—I shall put this resolution in two parts. The first portion is that this Council recommends to the Government that lambardars be permitted to send the land revenue and other Government dues by money-order at the nearest post office.

The motion was put and carried.

The Hon'ble the President.—The second portion is that no money-order fees be charged from them.

A division was taken, with the following result—

For the motion ...	50
Against the motion ...	N7
Majority for the motion ...	50

The resolution was declared carried.

The Hon'ble the President.—The next resolution stands in the name of Maulvi Muharram Ali, Chishti.

# RESOLUTION RE A ROUND TABLE CONFERENCE OF MEMBERS OF THE GOVERNMENT AND LEADERS OF THE NON-CO-OPERATION MOVEMENT.

Maulvi Muharram Ali, Chishti.—Sir, I beg to move the following resolution:—

“That this Council recommends to the Government to arrange a Round Table Conference of the members of the Executive Council, the Ministers of the Government, selected non-official members of this Council, and other influential Hindu, Muhammadan, Sikh and Christian leaders (including the recognised leaders of the non-co-operation movement) in the Punjab, to consider the necessary steps to be taken to reconcile the people and to maintain law and order in the province.”

In speaking on the resolution, Maulvi Muharram Ali, Chishti, speaking in Urdu, said that the need of some such conference as had been suggested in the resolution was imperative and it would be a criminal folly to postpone it. To do so would be to encourage the forces that were attempting to break up Government. It was no time for light-heartedness. As yet the malady had not become incurable, but it was fast becoming so. It behoved the Council to seriously consider what was happening in the country. On the frontiers, there was trouble within the country, grave unrest and dissatisfaction prevailed. The non-co-operation movement was gaining strength. It was not his business at that time to oppose or to support non-co-operation, because that would not be relevant to the resolution, but the United Provinces Government and certain other Local Governments had declared the movement to be illegal. If the non-co-operation movement and the Government took steps which it deemed necessary to combat it, a grave situation would arise. His resolution was a note of warning. It was not yet too late and the differences could be amicably settled. Great events and movements had small beginnings and could be stopped at their earlier stage.

There were men of different views in the country. There were those who said that Englishmen should leave the country bag and baggage; there were others who held that the continuation of the British Government was necessary for the peace and prosperity of the country. Views as to the reforms were also divergent. There were those who believed in non-co-operation as the only effective weapon of success, and there were others who regarded non-co-operation as detrimental to the best interests of the country. All these men should be asked to meet together and settle their differences.

Continuing the speaker said that as far as the Hon'ble Members of the Council were concerned there cannot be two opinions about their duty. They had taken the oath of allegiance with a full sense of

responsibility. They wanted to strengthen the hands of Government, which, however, did not imply mean adulation or blind obedience. It was their duty to warn Government. They wanted to maintain the British connection—even the interests of the country demanded that. Indians could not protect themselves from foreign aggression and hence must keep the British Raj intact. They must, therefore, strengthen the foundations of British rule in India. Government had assured them of equality of treatment in all matters.

Continuing, the speaker said that nobody with a head over his shoulders could seriously desire to uproot the British Government. Non-co-operation was the counsel of despair and of anger. They had the instance of a prominent non-co-operator who was against the Council elections, but was anxious to get a seat on the Municipal Committee. He applied to be registered as a voter for the latter; and on the application being rejected, an appeal was made to Government through the Council by means of a question. The Municipal Act was enacted by Government, and the Municipal Committee could be suspended by the Commissioner. The position was a little inconsistent. The fact of the matter was that in their moments of anger, those people were non-co-operators; but when the passion cooled down, they were again ready to co-operate with Government.

He, however, warned the Government against the assurances given to it that the non-co-operation movement was on the wane. Government should not minimise the movement. If non-co-operation had achieved no success and the majority of the people was against it, where was the need for enforcing the Seditious Meetings Act or for continuing the Defence of India Act. It was true that the members had got themselves elected to the Council at great personal sacrifices, but there was no gainsaying the fact, that the non-co-operation movement had enlisted the sympathies of a large number of people. He proceeded to quote facts and figures to show that an overwhelming majority of

electors did not go to the polls. Non-co-operation had achieved a great measure of success by propaganda and not by violence, which it scrupulously eschewed.

Proceeding, the Hon'ble Member said that a Round Table Conference like the one proposed by him would prove to be very useful. As long as the co-operators and the non-co-operators were not brought together, no remedy could be devised to allay the prevailing unrest. An exchange of ideas was bound to produce good results. The principal grounds, on which the non-co-operation movement had been launched, were the Punjab wrongs and the Khilafat.

**Pandit Danlat Ram, Kalla.**—What about *Swaraj*?

The speaker, continuing, said that let them at least settle the Punjab affair. His object was not so much to get the resolution passed as to warn both the Government and the people not to play with non-co-operation. It might be contended that as the new Viceroy was coming, they should wait and see what he has to say in the matter. But first Lord Reading would have to read a good deal, and then consider what he ought to do. The resolution would supply him with some material to go upon.

He hoped that both the co-operators and the non-co-operators would take his resolution in the spirit in which he had brought it. He wanted peace and conciliation.

**Mian Muhammad Shah Nawaz.**—Sir, I believe human nature is inclined to be abnormal, catastrophic and violent after a great war. The world is in the melting pot and the British Empire is there on trial. Whether it will survive the test or whether it will perish depends on the policy that is to be adopted by those who are at present at the head of affairs. There are four causes of the unrest prevailing in this country. One cause is the general unrest throughout the world. The second is due to the introduction of martial law and its consequences. The third is the Khilafat question; and, lastly,

there is the non-co-operation movement. I shall take them in order.

Firstly, as regards the general unrest: Everywhere we see signs of restlessness, irritation and discontent. This may be due to the blood poured out in the great war, or to the high prices of commodities, or the labour movement or other causes, but the fact remains that the situation in India and in Egypt is serious; in Ireland particularly it is extremely serious and critical. Even the self-governing Colonies are not free from it. Only the other day the great Dominion of Canada insisted on its right of having a separate representative at Washington and has virtually come to an understanding with the United States in regard to the naval policy in the Pacific Ocean. That is a momentous result. Every nation is seeking to have liberty of action.

The second is the Punjab tragedy. I have already described the details of this tragedy when the resolution for compensating the Indians who had suffered at the hands of offending officials, was moved by my friend Raja Narendra Nath. The martial law days were days of terror, and I venture to say that justice slept completely for the first time in the history of British India in those days. Respectable men were arrested without any evidence against them, and some of them were released after long detention. Several men were made to crawl and others were dishonoured. The people of this province were made to suffer terribly and they were humiliated. The crime perpetrated at Jallianwala Bagh by General Dyer cannot be described in words; it was really a butchery, and a calculated act of inhumanity. Sir, some of the extremists in this country and in the world think that when the Germans were committing atrocities in Belgium, Great Britain was humbugging about those atrocities. Some people still think that Great Britain was humbugging about the Armenian atrocities by the Turks when even worse atrocities were inflicted in this country on loyal subjects. I respectfully submit that the reputation of



Great Britain has never been at a lower ebb within the living memory than it is at the present time. That moral prestige, that reputation for justice, is vanishing. A large majority of the people of this country have begun to lose faith in British justice. They had no faith in it at any rate in the days of Martial Law, although I think they now realize that the Englishmen ruling in this country can be good men at heart. Sir, 300 millions of God's people have begun to move. They have begun to move in right earnest. They cannot be checked without disaster. If they were to be checked we would be courting a terrible defeat and those who are at the helm would be responsible for it.

I now come, Sir, to the Khilafat question. It is a very serious and sad question. It has lacerated the hearts of Indians, particularly those of the Muhammadans. The Moslems sincerely and rightly believe that the Prime Minister has broken his pledges. Sir, he pledged solemnly before the world and before the people of this country that the integrity of Turkey would remain unimpaired; that the capital of the Turkish Empire, Constantinople, would not be occupied by the Allies; that Thrace and Smyrna would remain in the hands of the Turks. Sir, what is the position now? Constantinople has not yet been evacuated; the Straits are still in the control of the Allies; Smyrna and Thrace have been handed over to the Greeks, whose atrocities in Smyrna are too horrible to be described. Moslem feelings are grieved; it is inevitable that they should be redressed otherwise they are liable to be inflamed, you cannot put them down; the seas cannot wash them away. The inherent force of Khilafat is there and it will surely spring up one day or another in some shape or form. The Khilafat wrong must be righted, and righted without further delay, and therefore I respectfully submit that the Treaty of Sevres must be considerably modified.

Sir, I am aware of the good work

done by the Indian Civil Service and other Services in this country. I am grateful to them and I do not want to be misunderstood when I talk of the British Government and Englishmen in this way. I am one of their great admirers; I really think that they have done a great deal for this country, and I hope they will not misunderstand me when I say that they are still wanting in love and sympathy, love without which even the tongue of angels runs amiss. Sir, we cannot rule the world by Dreadnoughts, by the thunder of cannons, and by aeroplanes. We can rule men only by sympathy and statesmanship. The people of this country are prepared to be guided and controlled by sympathy and statesmanship, but they also want to have their rights defined. Every honest Englishman loves liberty, loves his own country. We have been taught to love freedom and liberty of speech, to love our own dear native land, and now the Englishmen must be prepared to give us self-government within a reasonable time (*continued*).

(The Council adjourned for lunch till 2-30.)

Mian Muhammad Shah Nawaz (*continued*).—Sir, I now come to the non-cooperation movement. Personally I do not believe in this movement at all and I shall never believe it. It is supposed to be a non-violent movement, but in practice it is not. The good old Congress, that loyal and constitutional institution, after all is now dead. New creed has come into existence. Those who believe in this new creed wish to attain *Swaraj* at once. They want self-government, I do not know within the Empire or without the Empire. The moderates and liberals want self-government within the Empire as soon as possible. It will be far better if we were to bring face to face the moderates, the liberals, the nationalists, and the Government and come to some sort of compromise. Sir, the Indians are by nature gentle. A true Englishman has always been honest and has the best intention to administer this country well.



Both I think are labouring under misapprehension—albeit at present their interests may not be identical, and if they were brought together it would be far better for all communities. Mathews Arnold, a poet of high order, has expressed the feeling of the Englishmen and the Indians beautifully in these words—

“We school our manners, act our parts,  
But he who sees us through and through,  
Knows that the bent of both our hearts  
Is to be gentle, tranquil, and true.”

We want to co-operate and to create co-operation, mutual confidence, and good will. We must be brought face to face to know each other's point of view and to learn the policy of reasonable give and take. Sir, I am in favour of an All-India Conference, and with these remarks I heartily associate myself with the resolution moved by my friend, M. Nuharram Ali, Chishti.

**Diwan Bahadur Raja Narendra Nath.**—Sir, I have the fullest sympathy with the resolution which my friend has put before the Council. All that my amendment requires is that a wider scope should be given to the object of this resolution. I think that the proposal embodied in the resolution does not go far enough. There is no denying of the fact that the Hon'ble Mover wishes to devise means to tackle with the non-co-operation movement, but this Council knows, and the Hon'ble Mover is also well aware, that that movement is an All-India movement and not only a provincial movement. Therefore, if any attempts have to be made to reconcile the non-co-operators negotiations should be opened with those who guide the movement. I doubt very much whether the provincial leaders, who are more or less in the position of lieutenants to the principal man, will respond to our call, will come and sit with us at our invitation, or whether they will be able to give any opinion without consulting their confederates outside the province. I, therefore, think that all provincial

attempts to solve the difficulty will prove abortive. The questions, which have to be put before the Conference, are of very great importance. They are questions which cannot be answered on a provincial basis.

**Pandit Daulat Ram, Kalia.**—Sir, I rise to a point of order. Diwan Bahadur Raja Narendra Nath has not first read out his amendment and so he is out of order.

**Diwan Bahadur Raja Narendra Nath.**—I do not know if it is necessary to read out the amendment, because it is already in the hands of the members of the Council.

**The Hon'ble the President.**—It will be as well for the member to read out the amendment.

**Diwan Bahadur Raja Narendra Nath.**—Sir, my amendment is as follows:—

1. That the words “to the Government to arrange a Round Table Conference of” be omitted, and the words “to His Excellency the Governor in Council to represent to His Excellency the Governor-General of India in Council the necessity of arranging an All-India Round Table Conference consisting of leading officials and non-officials of the country to which” be substituted.

2. That after the word “Punjab” the words “and elsewhere” should be invited” be added.

3. That the words “in the province” be omitted and the words “and to ascertain how it is possible to secure co-operation” be added.

**Pandit Daulat Ram, Kalia.**—Now, Sir, I invite your attention to proviso (c) of Standing Order 60. According to that no resolution can be moved which is not primarily the concern of the Local Government. Now, Sir, we can ask the Local Government to make a recommendation to the Government of India in regard to any question which is of provincial interest. But we cannot ask the Local Government to make a recommendation with regard to the matter to the Gov-

ernment of India which is of all-India interest. If it was simply concerning the Punjab then there should be no objection, but when the question is that the Government of India should be asked for a conference of the whole of India then it goes out of order, because it is not primarily the concern of the Local Government.

**Diwan Bahadur Raja Narendra Nath.**—If there is any matter in which provincial interests are in common with the interests of the other provinces I do not think that they are ruled out. It is a matter of very great provincial importance that we should come to some solution about this non-co-operation movement, and if it is also a matter of importance to other provinces I do not see why it ceases to be a matter in which the Local Government is primarily concerned.

**The Hon'ble the President.**—I rule that the amendment is in order. (Cheers.)

**Diwan Bahadur Raja Narendra Nath.**—The questions which have to be put before the Conference are momentous. These are :—

The first is what is meant by *Swaraj*. Nobody yet knows it. We have heard the word "*Swaraj*," but I have read even in papers which are conducted by the extreme politicians that the exact connotation of *Swaraj* could not be given, and that it could only be given when certain conditions are known.

The second question is whether before the attainment of complete *Swaraj* it is necessary that a people split up into several communities require any training or not.

The third question is whether Home Rule is inseparably associated with Home Defence, and for Home Defence whether there ought to be complete obliteration of class differences. At present certain classes are martial and other classes are non-martial.

The fourth question is what does the present constitution of England and of India require? Whether it is necessary

to go before Parliament, and what are the prospects of our getting any decision from Parliament in modification of that which they have already passed, and which is embodied in the Government of India Act!

The fifth question is, of course, entirely provincial, and that is about the Punjab affairs. When I moved my resolution about award of compensation, and when Mian Shah Nawaz moved his resolution for the release of all Martial Law prisoners still in jail we wanted to pave the ground for the conference that I am proposing and which is foreshadowed in Mr. Chishti's resolution. Our object was to smooth the way of Government and not to embarrass the Government in any manner. However, even about the Punjab the point for consideration is how far the remedy proposed is practicable.

All these are momentous questions, but the last one only is a provincial question. The other questions have an All-India importance. What is the way in which extreme politicians want these questions to be solved?

I am not very sanguine about the results of even an All-India Conference. So far as my estimate of Mahatma Gandhi goes I think from what I know of him and from what I have seen of him that it is possible to come to a reasonable understanding with him. But he is surrounded by lieutenants who are, perhaps, more invincible than Mahatma Gandhi himself, and I am not very sanguine about the results. But an attempt should be made, and I think that some good may be achieved. I am not altogether despondent either. Over three or four months ago, I read in Mahatma Gandhi's paper, the *Young India*, that he wanted a conference of the kind which I have proposed. I certainly think that it would be worth the while of Government to have a conference with him and with some of his principal associates, but nothing will come out of a purely provincial conference. I have dwelt on the difficulties which I need not repeat. For these reasons whilst I associate myself with the objects of the

resolution, I submit that the resolution if carried out will not be productive of much result, and if any good result is to be expected my amendment should be accepted.

**Rai Sahib Lala Thakur Das.**—I support the amendments moved by my learned friend Diwan Bahadur Raja Narendra Nath to the resolution that is before the house regarding a Round Table Conference of Government officials and leading non-officials in the country. It is really sad to contemplate that at a time when the country is on the threshold of a new era in the history of constitutional reform there should exist such a wide divergence of thought between the Government and a large section of the Indian people. The heart of India is, no doubt, sore over the Punjab and the Khilafat questions, but I fail to believe that by a sympathetic and judicious treatment it cannot be restored to his normal condition. The resolution of Maulvi Muharram Ali, Chishti, will afford the Government and the leaders of the non-co-operation movement an opportunity for a free and unrestricted exchange of views, and I have no doubt that if both approach the question in a liberal spirit a satisfactory solution of the difficulty would be arrived at. The resolution will, however, fail in its object if the membership of the Conference is restricted only to the Punjab. The non-co-operation movement is, for all intents and purposes, an All-India movement, and the Conference to be decisive should include not only leading officials in other parts of the country, but the leaders of the non-co-operation movement in all parts of India as well. The scope of the Conference should also be extended so as to include the consideration of means by which it may be possible to secure the co-operation of the people. The country is passing through a critical stage in its history. Not only are the Reforms on their trial, but there are other matters of immediate and vital concern to the people that require joint consideration on the part of the Government on the people. The trade conditions of the country are any-

thing but satisfactory, and they are more complete by the intricacies of exchange. The labour question moreover is no longer a matter of personal concern to the labourer and the employer is bound to loom large in the future industrial development of the country. For the satisfactory solution of these and all other problems affecting the well being of the people a hearty co-operation between the Government on the one hand and all sections and classes of the people on the other is absolutely essential. In co-operation lies our salvation. Non-co-operation is inimical to all constitutional progress and detrimental both to the Government and the country. I trust Maulvi Muharram Ali, Chishti, will see his way to accept the amendments that I have the honour to support.

**Captain Sardar Gopal Singh**, who spoke in Urdu, said that it was the desire of all sections of the people that the present unrest should be allayed, so that harmony and peace between the Government and the people might be restored. The conference suggested in the resolution seemed to him to be the best means of achieving the result aimed at.

**Pandit Daulat Ram, Kalia**, who spoke in Urdu, opposed the resolution, and said that the word "people" used in it was very ambiguous, as there were very many people who were not by any means discontented, and this generic term implied that the whole country was in a disturbed state, which was not a fact. There were only a comparatively few agitators, non co-operators, etc.

**The Hon'ble the President.**—You must speak just now to the amendment before the Council and not to the main resolution.

**Pandit Daulat Ram, Kalia.**—Very well, Sir, I shall speak later on on the resolution.

**Maulvi Muharram Ali, Chishti.**—I rise to support the resolution as amended by my friend Diwan Bahadur Raja Narendra Nath and to accept his amendment, that an All-India Committee be appointed to

ascertain the measures to be adopted for a mutual understanding and to reconcile the population of this country to Government. I regard it as my sacred duty to lay before the Government the fact that the political situation of the country is very critical. The population of the province has many grievances and as all their requests.....

**The Hon'ble the President.**—Are you speaking to the amendment? The amendment is to the effect that, in place of a Punjab conference, there should be an All-India Conference.

**Maulvi Muharram Ali, Chishti.**—Very good, Sir, I will merely say that I accept the amendment.

**The Hon'ble Sir John Maynard.**—As far as I am concerned I accept the amendment.

**The Hon'ble the President.**—The resolution before the Council is "That this Council recommends to the Government to arrange a Round Table Conference of the Members of the Executive Council, the Ministers of the Government, selected non-official members of this Council, and other influential Hindu, Muhammadan, Sikh, and Christian leaders (including the recognised leaders of the non-co-operation movement) in the Punjab, to consider the necessary steps to be taken to reconcile the people and to maintain law and order in the Province."

To this resolution Diwan Bahadur Raja Narendra Nath moves the following amendment:—

That the words "to the Government to arrange a Round Table Conference of" be omitted, and the words "to His Excellency the Governor in Council to represent to His Excellency the Governor-General of India in Council the necessity of arranging an All-India Round Table Conference consisting of leading officials and non-officials of the country to which" be substituted.

The motion was put and carried.

**The Hon'ble the President.**—I will now put the consequential amendment:

That, after the word "Punjab" the words "and elsewhere should be invited" be added.

The motion was put and carried.

**The Hon'ble the President.**—The third amendment is—

That the words "in the Province" be omitted and the words "and to ascertain how it is possible to secure co-operation" be added.

The motion was put and carried.

**The Hon'ble the President.**—The resolution now before the Council is that "This Council recommends to His Excellency the Governor in Council to represent to His Excellency the Governor-General of India in Council the necessity of arranging an All-India Round Table Conference, consisting of leading officials and non-officials of the country, to which the members of the Executive Council, the Ministers of the Government, selected non-official members of this Council, and other influential Hindu, Muhammadan, Sikh and Christian leaders (including the recognised leaders of the non-co-operation movement) in the Punjab and elsewhere should be invited to consider steps to be taken to reconcile the people and maintain law and order and to ascertain how it is possible to secure co-operation."

**Pandit Daulat Ram, Kalia**, who spoke in Urdu, said that he had full sympathy with the mover of the resolution, but the masses were not angry; non-co-operators were not large in number, and it was not right to say that there was a general unrest in the province. Moreover there was no guarantee that the leaders of the non-co-operation movement would come to the proposed conference; but, on the other hand, when an invitation was sent to them, they would give out that the Government had been defeated, as it was inviting them to co-operate. Again the words "recognised leaders" were very wide, and the resolution did not say who would be the authority to decide

that such and such gentlemen were recognised leaders. He read out a few extracts from the *Bande Mataram* newspaper and said that a man who abused Government for three hours daily was a recognised leader. Further the non-co-operation movement was not non-violent. One of its leaders had three days ago said in his lecture at Ferozepore that either they would get *Swaraj* within eight months or the leaders would go to jail....

**Diwan Bahadur Raja Narendra Nath.**—Is the Hon'ble Member speaking on the amendment or on the resolution?

**The Hon'ble the President.**—He is speaking on the resolution.

**Pandit Daulat Ram, Kalia,** continued in Urdu. He said that such like lectures directed the masses to violence and to go to jail. The leaders would not go to jail, but many young men would. Again the object of the non-co-operators was to attain *Swaraj*—not necessarily within the British Empire. Under such circumstances an invitation should only be sent to them when there was some guarantee that they were ready to come and to be reconciled. Otherwise the invitation would be abused by the non-co-operators.

**Sayad Muhammad Hussain,** who spoke in Urdu, said that Pandit Daulat Ram, Kalia, was not right in saying that there was no unrest in the province. As a *Pir* he had many opportunities to mix with the masses and assured the Government that there was general unrest in the province, and the proposed conference was very essential. Further, unless the Khilafat question was solved according to the wishes of the Muhammadans, and, unless the question about the *Guidwaras* was solved according to the wishes of the general Sikh public, there was every fear that the unrest would very much increase, and then it would become quite difficult to calm the atmosphere. As each and every community felt for one another, it was necessary that leading gentlemen from every community should be invited to the conference and then steps be taken

to reconcile all. He added that Government should handle the situation with care. The Sikh community was in trouble, and they deserved the attention of Government more than anybody else on account of their meritorious services during the war.

**Mr. K. L. Rallia Ram.**—Sir, I am neither a lawyer, nor a politician, and I am thankful that I do not belong to either of these classes. But I am going to make a few observations, and I may say at once that I have risen to support the resolution as amended. I quite appreciate the good motives with which it has been put forward. I support it for two reasons. In the first place, it promises to bring the leaders of the country and the officials in close touch for some time. Sir, there is nothing in this world which keeps people away from each other than distance. Good many misunderstandings are removed when we get an opportunity to talk face to face. There was a Chinaman. He saw an object in the distance, and he thought it was a beast. When he drew nearer he found that he was mistaken and that it was a man. He drew still nearer, and found that it was his own brother. So is the case with many of our misunderstandings. I am sure if Mr. Gandhi and Sir John Maynard and some others were to get together and talk matters over at tea they will in this manner begin to like each other rather than hate. (Laughter). All I can say is that Mr. Gandhi has a great force in himself. However we may all differ from the man, we admire him. We have an admiration for his lofty character, and at the same time we all know that he is acting in good faith.

Secondly, it will give an opportunity to men like my friend Mr. Ganpat Rai and others to talk out their minds and to steam out their anger. I think it gives very great relief to the people if they get an opportunity to speak out their minds, and I am sure that this conference, if properly arranged, should be productive of very good results, and I support it with all the force at my command.



**Chaudhri Muhammad Amin**, who spoke in Urdu, said it was only natural that there should be such feelings in the country. Everywhere there were dissatisfied people. He did not believe that any agitation in the country among the Muhammadans was due to the Khilafat question. If matters within the country were set right according to the wishes of the people there would then be no dispute about Africa and such other unconnected questions.

He concluded by remarking that the prestige of the Government had to be considered, and in his opinion if Government were to lend itself to such a discussion with non-co-operators and others it must inevitably lose prestige. He did not, therefore, support this resolution.

**Mr. K. L. Rallia Ram**.—Sir, I move that the question may now be put.

The motion that the question be now put was put and carried.

**M. Muharraz Ali, Chishti**, replying to the debate in Urdu, said that he would be very brief. He considered that as they were representatives of the people it was their duty to do their utmost to promote harmony between the people and the Government, and to suggest the best possible means to effect that end. He did not consider that Government would suffer any loss of prestige by joining in a conference of the nature proposed, and that on the contrary it would be a very wrong thing for the Government to decline to discuss ways and means to a settlement.

**The Hon'ble Sir John Maynard**.—Sir, no one can fail to recognize the sincerity and excellence of the intentions of those who have spoken on this resolution. Let me assure this Council that Government does not ignore the gravity of the situation, in which an important section of the population holds aloof under an

insistent sense of grievance. Government does not ignore that evil, and it welcomes and seeks to explore every possible avenue to peace. I myself see no sacrifice of dignity whatever in agreeing to discuss reasonably with others the measures necessary to restore harmony. I have only to add that if this resolution be passed by the Council it will be forwarded to the Government of India for their consideration. With the Government of India, of course, must rest the decision whether this is or is not the wisest and best method of arriving at that consummation which we all of us desire.

**The Hon'ble the President**.—The motion before the Council is—

"That this Council recommends to His Excellency the Governor-in-Council to represent to His Excellency the Governor-General of India in Council the necessity of arranging an All-India Round Table Conference consisting of leading officials and non-officials of the country to which the members of the Executive Council, the Ministers of the Government, selected non-official members of this Council and other influential Hindu, Muhammadan, Sikh, and Christian leaders (including recognized leaders of the non-co-operation movement) in the Punjab and elsewhere should be invited to consider the necessary steps to be taken to reconcile the people and to maintain law and order and to ascertain how it is possible to secure co-operation."

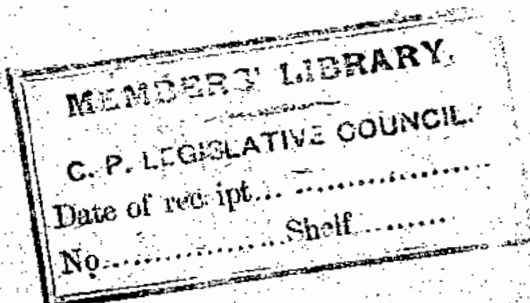
A division was taken, with the following results:—

For the motion	... 51
Against "	... Nil
Majority for	... 51

The motion was declared carried by a majority of 51 votes.

The Council adjourned until 10-30 A.M. on 5th April.





## PUNJAB LEGISLATIVE COUNCIL.

*Tuesday, 5th April 1921.*

The Council met at the Council Chamber at half past ten of the clock. The Hon'ble the President in the chair.

### QUESTIONS AND ANSWERS.

**MR. HARGOPAL AND LALA TARA CHAND'S CASE.**

351.—**Mr. Nawab Din, Murad**—(a) Is it a fact that during the Martial Law days a case was decided by the Martial Law Tribunal, presided over by Hon'ble Mr. Justice Leslie Jones on 7th May 1919, in which Mr. Hargopal, Advocate, and Lala Tara Chand, a Municipal Commissioner of Gujrat, were tried and acquitted?

(b) Is it a fact that in the above case Shahzada Asad Jan, Senior Sub-Judge, S. Faiz-ul-Hasan Shah, Deputy Superintendent, Police, of Gujrat, and other officials were witnesses for the prosecution?

(c) Is it a fact that the Martial Law Tribunal, when acquitting the accused, found that the prosecution evidence was not only weak, but that officials appearing as witnesses had deliberately perjured themselves on account of private enmity and party faction?

(d) Is it a fact that long before the above trial two criminal cases were pending against Seth Chiragh Din, Honorary Magistrate, Gujrat, in the court of above said Shahzada Asad Jan?

(e) Is it a fact that the gentlemen named under (a) above were the chief supporters of the said Seth Chiragh Din, and that one of them, Mr. Hargopal, gave an affidavit against Shahzada Asad Jan in a transfer application in the case referred to in (d) in the High Court?

(f) Is it a fact that the official referred to in (b) were in no way concerned with the administration of Martial Law in the Punjab, and that the Indemnity Act is not applicable to their case?

(g) Was any application made by Mr. Hargopal for sanction to prosecute the officials referred to in (b) and what orders were passed?

(h) If sanction was refused, will Government be pleased to lay on the table the application aforesaid with a statement of the reasons why the sanction applied for was not given?

(i) Is Government prepared to take any action in the matter against the officials referred to in (b)?

(j) Was Government moved to institute an open enquiry into the conduct of the said officers? If so, what was the result, and will Government be pleased to lay on the table all papers regarding the above enquiry?

(k) Is it a fact that subsequent to the above Martial Law judgment both the officials referred to in (b) have received the title of Khan Sahib?

(l) Will Government be pleased to lay on the table the Hunter Committee's Report together with statements of Shahzada Asad Jan and S. Faiz-ul-Hasan before the said Committee?

*Note.*—Diwan Bahadur Raja Narendra Nath put question No. 351 on behalf of Mr. Nawab Din Murad as authorized by him.

**The Hon'ble Sir John Maynard**—(a) and (b) Yes.

(c) The Martial Law Commission did not say that any officials had perjured themselves. What that Commission said in its order on this group of cases was "In some instances there is no evidence which, even if believed, would justify convictions, and in some others the evidence is very thin. In a good many more personal and party animosities have clearly played a very large part. Much of the evidence, even that of officials, is tainted in this way, and there has also been some deliberate perjury."

The Martial Law Commission accordingly acquitted nineteen of the persons accused including Mr. Hargopal and Lala Tara Chand. All the accused in this group of cases have now been released.

(d) and (e) Seth Chiragh Din made a statement to the effect that a criminal case was pending against him in the Court of Sultan Asad Jan. Sayad Faiz-ul-Hasan Shah said that Chiragh Din made a false affidavit and he asked for permission to prosecute him. Government has no further knowledge about these matters.

(f) The law in question only gives protection to officers on account of acts done for the purpose of maintaining or restoring order: provided that they acted in good faith and in a reasonable belief that the action was necessary for the said purposes. The question here put by the Hon'ble Member is one for the Courts, not for Government.

(g) and (h) Sanction to prosecute the officials was applied for under section 195, Criminal Procedure Code, but Government was advised by its law officer that it had no power to give it, as such sanction can only be given by a Court. No useful object could be served by papers being placed on the table.

(i) and (j) A preliminary enquiry was made at the time. As a result of the preliminary enquiry, certain notes were made

in the personal files of some officers, but not in those of the two officers mentioned by the Hon'ble Member.

(k) Yes.

(l) The Hunter Committee's Report was published and has for a long time been accessible to the public. But for the convenience of the enquirer, a copy of it and of the evidence volume containing the statements of Sardar Asad Jan and Sayad Faiz-ul-Hasan Shah are laid on the Table.\*

#### NON-OFFICIAL PRESIDENTS OF MUNICIPALITIES AND DISTRICT BOARDS.

**352. Chaudhri Daya Ram**—(a) How many Municipal Committees and District Boards have been given non-official Presidents?

(b) Is the Government prepared to give non-official Presidents to the remainder of Municipal Committees and District Boards?

(c) If not, what are the reasons for it?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain**—The member is referred to the reply given to question No. 125 asked by Lala Atma Ram on the 1st March.

#### PAY OF ZAILDARS IN AMBALA DISTRICT.

**353. Chaudhri Daya Ram**—(a) Is it a fact that the pay of the Zaildars in different Tahsils of the Ambala District, is not uniform?

(b) If so, what are the reasons for the difference?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh Majithia**—(a) The answer is in the affirmative, but the existing arrangements are only temporary.

(b) The present lack of uniformity is primarily due to the inadequacy of the former scales of remuneration. In order to lose no time in raising those scales, the

local officers, in anticipation of sanction, regraded the Zaildars of each Tahsil, as soon as the new assessment of each Tahsil was fixed, in such a way as to utilize the legal maximum of 7 per cent of that new assessment. When this action was reported for sanction, it was considered undesirable to reduce any emoluments which had been actually announced to individuals, but the orders conveying sanction provided that uniformity throughout the District should be attained gradually, as vacancies occur in the ranks of the present Zaildars.

CHAUDHRI RAM BHAI DUTT.

354. **Diwan Bahadur Raja Narendra Nath.**—Will Government be pleased to state the facts on which was based the order under Rule 3 (c) of the Defence of India Act prohibiting Chaudhri Ram Bhaj Dutt from attending or addressing public meetings.

**The Hon'ble Sir John Maynard.**—The tone of this gentleman's speeches has for some time been such as to give rise to the apprehension that they would cause a breach of public tranquillity and order.

GAUCHAR SINGH.

355. **Diwan Bahadur Raja Narendra Nath.**—Is it a fact—

(a) that Gauhar Singh, in carrying out the orders of the authorities, caused his kardars and tenants of the Dhundia-wala well to sleep near and to guard the telegraph wires and the railway line continually for 5 weeks during the disturbances of April 1919;

(b) that Colonel O'Brien in his statement before the Hunter Committee, stated that Gauhar Singh was innocent;

(c) that the sequestration of his pension was a punishment given in addition to his detention in Jail;

(d) that he was not given a copy of the order sequestering his pension though he applied for it?

**The Hon'ble Sir John Maynard.**—The attention of the enquirer is drawn to the

account of the facts given in answer to an earlier question\* put by him on the same subject. The answers to the further enquiries now made are:—

(a) Government has no information of the facts here stated by the questioner.

(b) It is incorrect that Colonel O'Brien stated that Gauhar Singh was innocent. He said that Gauhar Singh himself committed no offence but helped his sons to escape and would not give information where they were. The sons were charged with offences.

(c) Gauhar Singh was not sentenced to imprisonment but spent some days in jail pending trial.

(d) The local officers were instructed to communicate the orders to Gauhar Singh.

MEETING OF THE HINDU SUDHAR  
MANDAL, AMRITSAR.

356. **Diwan Bahadur Raja Narendra Nath.**—(a) Is it a fact that a meeting to be convened on the 23rd January 1921, by the Secretaries of the Hindu Sudhar Mandal, Amritsar, and for which application was made under section 4 (1) (a) of the Seditious Meetings Act, was prohibited by the District Magistrate under section 5 of the said Act?

(b) Was this meeting of a purely communal character?

(c) If so, should it have been prevented under the Act?

(d) Will Government be pleased to direct the District Magistrate to allow this and other communal meetings?

**The Hon'ble Sir John Maynard.**—The conveners of the meeting stated that its object was to discuss the affairs of the Amritsar Hindu Sabha, of which they were admittedly not members. The District Magistrate had reason to believe that the meeting was likely to cause a disturbance of the public tranquillity. He accordingly prohibited it under section 5 of Act X of 1911. Government have no reason to believe that the District Magis-

trate acted in excess of his lawful powers and do not intend to issue the suggested direction.

### THE CHOS ACT.

357. Mian Bell Ram.—Will Government be pleased to place a statement on the table of this house, showing—

(a) the number of cases in the Hoshiarpur District under sections 19 and 20 of Act II of 1900 (Chos Act) from 1902 to 1921, both years included;

(b) the number of persons convicted, the number of persons fined, the amount of fine imposed, the number of persons imprisoned, the number of cattle confiscated and sold, the amount realized by such sales;

(c) the number of such cases tried summarily and the number of cases tried in the ordinary way;

(d) the number of witnesses examined on behalf of the prosecution in all such cases who are in the pay of the Government either as guards or as holders of rural offices and the number of witnesses not in the pay of the Government;

(e) the area affected (a) by section 4, (b) by section 5, (c) by section 8 of the Act;

(f) the area in respect of which proprietary rights have been extinguished under section 7, naming the villages in which such area is situated;

(g) the area which has become vested in the Government under sections 8 and 9 and the villages in which such area is situated;

(h) the nature of the rights vested in the Government under section 14, clause 4; the area in which such rights are vested and the number of persons deprived of their rights;

(i) the area in which proprietary rights have been extinguished as recorded under section 16, clause (b) ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Material is not available for preparation of the statistics asked for in (a) to (d). Statistics asked for in (e) and (g) are being prepared and a statement will be laid on the table.

(f) Section 7 is merely a procedure section.

No right can be extinguished under that section.

(h) Section 14 referred to in the question has no 4th clause: it has only three clauses. It is presumed that the question relates to section 15 (4). If so, the answer as regards area is the same as in (e) above.

(i) No proprietary rights have been extinguished. That is to say, the proprietary right in the soil still vests in the original owners. The area affected is given in the answer to (e).

358. Mian Bell Ram.—Will Government be pleased to state—

(a) what rights of property remain in the owners of the areas to which sections 4, 5 and 8 have been applied and whether the owners have any rights in the trees and other produce of the areas to which the said sections have been applied;

(b) what remedies are open to the owners in case the Government officials deny their rights or disallow such rights?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.

(a) The information asked for can be derived from a study of the Act itself.

(b) It would be open to the owners to bring an action against the Secretary of State.

359. Mian Bell Ram.—Has Government taken any measures to reclaim any area of any Chos. If so, with what result and at what expense?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—Full information

is obtainable from the Annual Land Revenue Administration Reports. It cannot be compressed into a concise answer.

**360. Mian Bell Ram.**—Has Government any reasons to believe that private individuals possess the necessary spirit of co-operation and the capacity for such measures as are contemplated by section 8 of the Act?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—There have been instances of the successful exercise of the co-operative spirit. But reply to the last portion could be summarized in the following:—

Where there is a will there is a way.

This spirit is not always present. Action by individual villages can only be partial.

**361. Mian Bell Ram.**—What achievements have been made under the Act and what good has been done to the people concerned?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Reference is invited to the Annual Land Administration Reports. The actual villages to which the Act has been applied have mainly benefited by an improved growth of fodder and will benefit by the reclamation of land and greater produce of fuel at cheap rates.

**362. Mian Bell Ram.**—Will Government be pleased to call upon the present Commissioner of the Jullundur Division to furnish a complete report, after exhaustive enquiry amongst the people concerned, on the points touched upon in the foregoing questions and to ask him to suggest such changes as may enable the administration to preserve the western slope of the Siwalik range and the Chos without causing loss of private property?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Government has issued instructions that the Commissioner should hold an enquiry into the work-

ing of the Act, especially as regards any hardships which may exist and their remedy.

**363. Mian Bell Ram.**—(a) Will Government be pleased to state if the extension of Chos Act to the eastern slope is in contemplation or has been proposed by any Government official?

(b) If so, will the Government be pleased to state the reasons on which such extension has been contemplated and to place a copy of the report on the subject on the table of this house?

(c) Will Government allow the matter to be discussed by the Legislative Council before this Act is applied to any other area?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—(a) The answer is in the negative.

(b) In view of answer to (a) this does not arise.

(c) Extension of sections (4) and (5) of the Act to new areas involves the expenditure of money. Hence the Council would have an opportunity of discussing the matter on the vote for supply.

#### THE NANKANA TRAGEDY.

**364. Pandit Daulat Ram, Kalla.**—(a) Has the Government seen in the "Bande Matram" of the 3rd instant (copy attached) a note headed *Hadsa-i-Nankana Sahib ke tafsilī halat*, in which a charge is made against an officer of the Punjab Commission?

(b) If so, and if the charge is unfounded, will Government take action against the said paper on the lines foreshadowed in the said *communiqué*?

**The Hon'ble Sir John Maynard.**—(a) Yes.

(b) Action has been taken with the result that the paper in question has published an apology and has withdrawn the imputations contained in the article.

## REVENUE FROM INCOME-TAX.

365. **Sardar Bahadur Sardar Mehtab Singh.**—Will Government please state what was the amount of revenue from Income-Tax in 1909-1910, in 1914-1915, and again in 1919-1920, including the excess profits duty in the last year?

**The Hon'ble Sir John Maynard.**—The revenue derived from Income Tax in the years under reference was as follows:—

	Rs.	
1909-10	14,06,625	(Collections)
1914-15	17,48,128	,,
1919-20	26,19,184	,,
	+7,62,022	of Excess Profits duty.

*Note.*—Out of the Excess Profits duty tax actually collected in 1919-20, a portion was refunded on appeals, but the exact figure is not known.

366. **Sardar Bahadur Sardar Mehtab Singh.**—Does Government consider that these amounts reflect fairly the development of trade and industry in the Province?

**The Hon'ble Sir John Maynard.**—The Government does not consider that the figures of income-tax given in answer to question 365 fairly represent the development of trade and industry. As a result of entertainment of a special income tax staff, and consequent better organization and owing to a rise in the rates of assessment since 1916, the income from this source has shown a steady increase during the few past years. It is believed that a considerable number of individuals really liable to assessment are still escaping taxation.

## NUMBER OF FACTORIES SOLD AND BANKS LIQUIDATED.

367. **Sardar Bahadur Sardar Mehtab Singh.**—Will Government please state how many factories were sold and banks liquidated within the last ten years?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—It is impossible to say without a very protracted and elaborate enquiry from each district how many factories were sold in the last ten years.

2. The number of Banks liquidated during this period was 42; a list\* of them is placed on the table.

## INCOME TAX.

368. **Sardar Bahadur Sardar Mehtab Singh.**—Is it a fact that Income-Tax is imposed on all kinds of profits in trade but very often no credit for losses to traders is allowed on the plea of their being the result of Satta transactions? Will Government please make a full inquiry into the matter?

**The Hon'ble Sir John Maynard.**—The answer to the first part of the question is in the affirmative.

The treatment of Satta transaction is governed by section 3 (2) (*visi*) of the Income-Tax Act. Receipts of a casual and non-recurring nature, which are not receipts arising from a business, are exempt from taxation and are not taken into account in making assessments, nor are losses on such transactions allowed for. If, on the other hand, the assessee makes a regular business of "Satta" dealings, the results of such dealings, whether they disclose a profit or a loss, are taken into account. The above principles are explained in detail in the Income-Tax Hand-book, and are, it is believed, well understood by Income-Tax Officers. Hence Government does not propose to make any enquiry into the matter.

## MONEY INVESTED BY NON-AGRICULTURISTS IN PURCHASES OF GOVERNMENT IMMOVABLE PROPERTY.

369. **Sardar Bahadur Sardar Mehtab Singh.**—Will Government please state the total amount of money invested by non-



agriculturists of the Province in the purchases of Government immovable property within the last twenty years?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia**—Government regrets that it is quite unable to furnish the information asked for.

#### GOVERNMENT DISCOURAGEMENT OF TRADE.

**370. Sardar Bahadur Sardar Mehtab Singh.**—(a) Is it a fact that the trading and mercantile families and classes of the Province have been and are under the impression that the policy of Government is one of systematic discouragement and hostility in the matter of trade and industrial development of the Province?

(b) If the answer is in the affirmative, does Government propose to take any steps to remove the causes on which that impression is founded?

**The Hon'ble Lala Harkishan Lal.**—

(a) Government is not aware of the fact that there is any such impression abroad.

(b) If it is a fact it is without foundation; and Government will be pleased to receive suggestions to remove any such impression as may exist.

#### DISCONTENT IN TOWNS AND CITIES.

**371. Sardar Bahadur Sardar Mehtab Singh.**—(a) Is it a fact that there is great deal of dissatisfaction and certain discontent in the towns and the cities of the Province?

(b) Is it a fact that the Government of India accepted the unanimous finding of the Hunter Committee's majority and minority reports, that the stringency of the new Income-Tax Act was one of the causes of unrest?

(c) Is it a fact that the Government of India admitted in their despatch to the Secretary of State for India that the

new Income-Tax Act may have accounted in part for the extent to which the movement enlisted the sympathy of trading classes?

(d) If the answers to (a), (b) and (c) are in the affirmative, will Government please state what action or change of policy has been adopted to reassure these classes and to restore confidence?

(e) If no action has been taken will Government please state what action it proposes to take?

**The Hon'ble Sir John Maynard.**—(a) From time to time there has been local dissatisfaction owing to special causes. There is naturally also some dissatisfaction at the general tightening up of Income-Tax administration during the last few years. Nothing has been brought to notice leading Government to suppose that a great deal of dissatisfaction exists.

(b) and (c) There is no finding in the Majority Report of the Hunter Committee that the stringency of the new Income-Tax Act was one of the causes of unrest. This finding occurs in the Minority Report. It was accepted by the Government of India to the extent that in their despatch to the Secretary of State they admitted that the new Income-Tax Act may have accounted in part for the extent to which the movement enlisted the sympathy of the trading classes.

(d) The question of the amendment of the Income-Tax Act is under the consideration of the Government of India. It is believed that such dissatisfaction as exists or has existed arises from the following causes:—

(1) The profiteering classes were deprived of a good deal of their profit by the operation of the Excess Profits Act, super tax, and enhanced rates of taxation under the Income-Tax Act itself. Moreover, by the appointment of special Income-Tax officers it becomes less easy to escape taxation.

(2) Section 19 of the Act is quite unsuited to the great majority of assesses in this Province.

(3) As regards the first cause of dissatisfaction, excess profits duty is no longer exacted. The Government of India also have under consideration a proposal to amend section 19 of the Act, so that the tax should in future be levied as a tax on realised profits of the preceding year, and not as a tax on the anticipated profits of a current year.

(4) The attention of the local Income-Tax Officers has been drawn to the correct interpretation of the law, which exempts profits of a casual and non-recurring nature from liability to income-tax, and a general revision of the assessments imposed on such profits will take place immediately.

#### INCOME-TAX AND EXCESS PROFITS OBJECTION CASES.

372. **Sardar Bahadur Sardar Mehtab Singh**—Will Government please state how many income-tax and excess profits objection cases came up before the Financial Commissioners, what was the amount involved, and what the amount of relief given by that officer.

**The Hon'ble Sir John Maynard**.—The required information is given in a statement which is laid on the table.

The sum remitted by the Financial Commissioners in 1919-20 exceeded 17 lakhs.

#### STATEMENT.

Total number of cases that have come to Financial Commissioner.	Year to which figures relate.	Sum involved.	Sum remitted.	Balance payable.	REMARKS.			
		<i>Income-tax.</i>						
		Rs.	A. P.	Rs.	A. P.	Rs.	A. P.	
*59	1918-20	1,85,004	2 8	80,890	5 6	1,54,113	12 10	* This includes 6 pending cases. The amount involved in 3 of the 6 cases is not yet known. The total amount of the other 3 cases is Rs. 1,762-14-6, which is included in the figure given in columns 3-5.
		<i>Excess profits duty.</i>						
†114	1919-20	26,13,848	0 0	17,29,795	0 0	8,83,551	0 0	† This includes 13 pending cases which involve a total sum of Rs. 2,07,608.

#### INDEMNITY FROM VILLAGES.

373. **Sayad Muhammad Husain**.—Will the Government kindly lay on the table a statement showing—

(a) the names of the towns and villages from which an indemnity was levied on account of their taking part in the disturbances of 1919 ;

(b) the reasons for the levy of the indemnities ;

(c) the amount of the indemnity levied on each village and town?

**The Hon'ble Sir John Maynard**.—A statement showing police charges imposed under section 15 and compensation awarded under section 15-A of the Police Act is laid on the table.\*

#### OAT HAY FARM.

374. **Sayad Muhammad Hussain**.—(a) Is it a fact that the oat hay farm in the district of Montgomery was meant origi-

nally to be used for raising oats and hay for the Military Department? Did it ever fulfil that condition?

(b) If the answer to the above is in the negative, will the Government take the area back from the Military Department and distribute it to the public?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—Reference is invited to the answer given to question No. 256\* asked by M. Ahmad Yar Khan, Daultana, on the 16th instant.

**FORECASTED INCREASE OF REVENUE IN DIPALPUR AND PAKPATTAN TAHSIL.**

**375. Sayad Muhammad Hussain.**—Will Government be pleased to state—

(a) What increase of revenue was forecasted before the settlement of the Dipalpur and Pakpattan Tahsils was sanctioned?

(b) On what was the forecast based?

(c) Whether, if the high price of cotton was one of the reasons for forecasting an increase of revenue, the situation has not been changed by the fact that the price of cotton, especially "desi," grown in this part of the country, has fallen to below the pre-war level?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—(a) It is expected that an increase of between 33 and 40 per cent. of the land revenue will result from the resettlement of the Dipalpur and Pakpattan Tahsils.

(b) This forecast is based mainly on a rise in prices of 40 per cent., an increase in the cultivated area of not less than 20 per cent., an increase of 20 per cent. in the number of wells, the trebling of the selling value of land, the general expansion of resources due to the increase of population.

(c) The price of cotton considered in connection with the Forecast Report was the average Gazette price for the 10 years commencing 1907-08, and was Rs. 8-12-0 per maund unginned. It was recognized that cotton only constitute about 5 per cent. of the total crop, and it will appear from the answer to question (b) that the increase in price is only one of several factors bearing on the amount of enhancement. Hence any change in the price of cotton can have no appreciable effect on the estimates already framed. As a matter of fact the price of cotton which has been adopted for assessment calculations is Rs. 5-10-0 per maund which is very much less than the above average.

**DISMANTLING OF THE SUTLEJ VALLEY RAILWAY.**

**376. Sayad Muhammad Hussain.**—

(a) Is it a fact that the dismantling of the Sutlej Valley Railway, the condition of the Upper Sutlej Inundation Canals and the migration of tenants to the colony area has affected for the worse the taxable capacity of the people of that tract.

(b) If so, is Government prepared to decrease the estimated forecast?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The matters referred to in part (a) of the question will be considered by the Settlement Officer in framing his proposals and by higher authorities in passing orders on them.

(b) Until the assessment reports are received it is impossible to say whether the increase of revenue forecasted should be taken or not.

**LANDED GENTRY GRANTS.**

**377. Sayad Muhammad Hussain.**—(a) Is it a fact that in the district of Montgomery very little land was distributed in "landed gentry grants" as compared with the other districts of the division.

(b) If so, will the Government kindly consider the claims of those hitherto deprived?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—(a) The distribution of landed gentry grants on the Lower Bari Doab Canals among the Districts of the Multan Division was as follows:—

Montgomery	... 31 rectangles.
Jhang	... 18 "
Multan	... 67 "
Muzaffargarh	... 99 "
Dera Ghazi Khan	... 200 "
Lyallpur	... Nil "

(b) All the available land is required to fulfil commitments already made, and for the present Government does not contemplate making any more grants on landed gentry terms.

#### GRANT OF SQUARES OF LAND.

378. Sayad Muhammad Husain.—(a) Is it a fact that squares were originally granted in landed gentry grant to—

- (1) Khan Saadat Ali Khan of Kamalia, Montgomery,
- (2) Jamal-ud-din of Kota, Tahsil Pakpattan,
- (3) Pir Allah Yar of Pakpattan Tahsil,
- (4) Nur Samand Khan Kathia, son of Mehr Faizal Khan of the Montgomery Tahsil,
- (5) Bahbal Khan of the Pakpattan Tahsil, etc., and afterwards not given to these gentlemen.

(b) If the answer to the above is in the affirmative, will the Government be kind enough to renew the grants in the case of at least those who supplied their quota of recruits?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—(i) The answer to the first part of the question is in the negative.

(b) The grant of land on special terms to members of the landed gentry

ceased some years ago, Government having exhausted the whole area sanctioned for such grants by the Secretary of State.

#### CONDUCT OF KATHIA CLAN.

379. Sayad Muhammad Husain.—(a) Is it a fact—

(i) that the attitude of the Kathia clan in the tahsil of Montgomery during the disturbances of 1919 was praiseworthy, loyal and calm, and that if undertook the protection to the railway line during those days; and

(ii) that in recognition of the above mentioned services on the recommendation of Mr. Henriques, the then Deputy Commissioner of the district, Messrs. Nursamand, Zaildar, and Sarang Khan, Naib Zaildar, two of their leaders, who were undergoing rigorous imprisonment for hindering the work of recruitment, were released by the Government before the expiry of their sentence?

(b) If so, will the Government restore to the above said Nursamand his hereditary Provincial Darbari seat.

The Hon'ble Sir John Maynard.—(a)

(i) The attitude of the clan is question during the disturbances of 1919 was on the side of law and order.

(a) (ii) The reply is in the affirmative.

(b) The suggestion will be considered.

#### RE-STARTING OF THE SUTLEJ VALLEY

##### RAILWAY.

380. Sayad Muhammad Husain.—Will the Government state whether there is any hope of the Sutlej Valley Railway which was dismantled during the war being re-started?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—The Sutlej Valley

Railway will be relaid as soon as material is available, and it is hoped that the work will be started soon.

(Question No. 381, 382, 383 standing in the name of Sayad Muhammad Raza Gilani were not put owing to the absence of the member.)

#### SCARCITY IN RAWALPINDI

384. Sayad Ali Haidar Shah.—(a) Is it a fact that on account of scarcity in the Rawalpindi District cattle are suffering seriously? If so, will Government be pleased to enquire into the matter?

(b) Is it a fact that the permission granted for cattle grazing in the Margalla Rakh, Rawalpindi, is limited in its scope, and that the permission has not mitigated the sufferings which the cattle are undergoing from the scarcity of fodder?

(c) Will Government consider the advisability of allowing the removal of the leaves of the trees in the Margalla Rakh for the purpose of fodder and of allowing goats to graze in the abovementioned rakh?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.—(a) The telegraphic report from the Rawalpindi District for the week ending 11th March showed that fodder was scarce but the condition of cattle was good.

Concession rates for the carriage of fodder from any station in Lyallpur and Sheikhupura Districts, any station in the Shahpur District south of the Jhelum river, and from any station in the Gujrat District except Gujrat, Kharian, Dinga and Lala Musa to stations in the Rawalpindi District, have been sanctioned by Government. Efforts are also being made to obtain for the civil population supplies of fodder which have been acquired by the army.

(b) It is a fact that the permission for grazing in the Margalla Rakh is limited in its scope, in that it does not carry

with it permission to lop or remove the leaves of the trees, nor are goats included in the permission.

(c) Permission to lop or remove leaves is only given as a last resource when all other fodder has failed or when the supply of other fodder is insufficient for the needs of the cattle, as the practice of lopping is highly injurious to the trees and if carried to excess, as it generally is, results in the death of many trees. Such permission has as a matter of fact been granted in most of the rakh of the Attock District where the situation is far more acute, and, if in the opinion of the Deputy Commissioner the situation demands it, the Forest authorities are quite ready to allow it in the Margalla Reserve also. It is hoped, however, that with the spring growth of grass the situation will be so relieved as to render this drastic measure of relief unnecessary. It is not considered necessary or advisable to allow goats to browse in this rakh as these animals, which eat shrubs and not grass, can find ample fodder outside the reserves.

I welcome the opportunity afforded by this question of explaining to this Council the policy of forest management, strictly adhered to by the Forest Department of this Province in its relation to the village communities.

I may say at the outset that the Forest Department gives, free of charge or at reduced rates, to the village communities forest produce in the shape of grass, grazing, firewood, timber, etc., to the value of 27 lakhs on an average each year.

The plains rakh of the Province are managed entirely in the interests of the surrounding villages, such revenue as results from grazing dues and sale of a certain amount of firewood being merely sufficient to cover the costs of protection and management.

The restrictions which are imposed, such as the closure of certain areas to grazing from time to time or the regula-

tion of lopping, i.e., the cutting of leaves and branches, are imposed solely in the interests of the villagers themselves, though they may not always realise it, or of their descendants. The objects of these restrictions are to improve the grazing by increasing the amount of grass on the area, and to ensure to future generations the same quantity of firewood and small timber as is now available for the present generation of villagers, which, thanks to the wasteful methods of their ancestors, is considerably less than it used to be 50 years ago. The restrictions are not imposed, as the more ignorant of the villagers think, that they will increase the revenue of Government. Left unrestricted, the villagers will overgraze an area year after year until even in the best of years there is practically no grass. If that area were left ungrazed for four months each year, so that the grass might seed and multiply, or better still left ungrazed for a series of good years, it would afford really good grazing in bad years such as the present one. Left to themselves the villagers lop every tree round their village to death, so that year by year they have to search further and further a field for their leaf fodder. Excellent examples of this may be seen in the Rawalpindi District where the oak trees are rapidly disappearing as a result of excessive lopping.

In the face of opposition from the people themselves the officers of the Forest Department are making strenuous endeavour to improve the grazing facilities for the people, but they are very fully alive to their responsibility of providing sufficient grazing for the immediate needs of the present generation, more particularly in times of scarcity. In September last year, before any request for further concessions was received from any Deputy Commissioner, the Conservator issued a circular to all his Divisional Officers instructing them to make arrangements in consultation with the Deputy Commissioners to provide measures of relief.

As a result practically all closed

forests were thrown open to grazing. In certain parts where the scarcity was most acute lopping of leaves was also allowed, but this drastic measure of relief is always looked upon as a last resource, and is only resorted to when other means fail. In the Margalla Rakh, where an area of 2,500 acres was already open to grazing, a further 15,000 acres was thrown open. It was not considered necessary, and has not yet been considered necessary, to fall back on the last line of defence lopping, but the Forest Officer is watching the situation closely and if it seems necessary to do so, lopping will be allowed in this forest also. It is hoped however that the spring growth of grass will render it unnecessary.

It is not considered necessary to allow goats in this forest. Goats feed on the leaves of trees and shrubs and not upon grass, and it is considered that there is an ample supply of leaf fodder for these animals outside the reserves.

#### ANGLO-VERNACULAR SCHOOL RANIKA RAIPUR.

385. **Rai Sahib Lala Panna Lal.**—Is it a fact that an Anglo-Vernacular School at Rani-ka Raipur in Ambala District made repeated applications for recognition by the Education Department and for a grant-in-aid from the Ambala District Board, and has got neither of them up to this time. If so, will the Government inform this Council why so much delay has occurred?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—The question does not indicate to whom the applications are alleged to have been made.

No such applications reached the Director of Public Instruction's office, and Government has no information on the subject.

#### RUPAR MUNICIPALITY.

386. **Rai Sahib Lala Panna Lal.**—Will the Government be pleased to inform this Council of the causes which led to a series of disputes between a member of the



Municipal Committee at Rupa in the Ambala District and its official President and state how the Commissioner and Deputy Commissioner intervened to bring about a settlement? Will the Government take steps to prevent the recurrence of similar occurrence there or elsewhere?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Government has not made any official enquiry into the incidents referred to.

#### DISCONTENT AMONG CIVIL CLERKS.

**387. Rai Sahib Lala Panna Lal.**—(a) Is it a fact that there is a great discontent among civil clerks of various gradation on the subject of their salaries?

(b) If so, will Government be pleased to state what steps they propose to take to allay the feeling.

**The Hon'ble Sir John Maynard.**—A revised scale of pay entailing extra expenditure of 91 lakhs of rupees per annum has just been sanctioned, and Government is not aware of any discontent among civil clerks.

#### ENHANCEMENT OF INCOME-TAX IN AMBALA CANTONMENT.

**388. Rai Sahib Lala Panna Lal.**—Will the Government inform this Council of the total enhancement of income-tax on Ambala Cantonment, comparing last year's

figures of assessment with that of this year as well as the conditions of trade prevailing last and this year?

**The Hon'ble Sir John Maynard.**—It is not possible to furnish the statistical comparison required, as the current year has not yet expired, and final assessments and adjustments, etc., have probably not yet been finished. In any case the figures have not yet reached headquarters.

2. As regards trade conditions, Government has no information relating especially to Ambala Cantonment.

#### INCREASE OF SALARY OF DEPUTY SUPERINTENDENTS OF POLICE.

**389. Rai Sahib Lala Panna Lal.**—Is Government prepared to grant such increases of salary to Deputy Superintendents of Police, as will raise their position substantially above that of Inspectors and Sergeants?

(b) Will Government furnish a statement to show the past and present rates of salary of all ranks of the Police Force?

**The Hon'ble Sir John Maynard.**—

(a) The pay of Deputy Superintendents of Police has recently been revised by the Government of India; and their position is substantially above that of Inspectors and Sergeants.

(b) The following statement shows the old and new rates of pay of all ranks of the Punjab Police, including Deputy Superintendents:—

Name of rank.	Old scale.	New scale.
Constables...	Rs. 10, 11, 12 and 18	Rs. 17, 18, 19 and 20.
Head Constables...	Rs. 15, 17, 18, 20 and 25	Rs. 25, 30, 35 and 40.
Sub-Inspectors	Rs. 50, 60, 70, 80 and 100	75% on time scale as under:— Starting at Rs. 80.
		25% in selection grades as under—
		After 5 years' service, Rs. 80
		" 10 " " " 100
		" 15 " " " 110
		" 20 " " " 120
		" 25 " " " 130
Sergeants by grades	Rs. 80, 90 and 100	Rs. 150, 175 and 200.
Inspector by grades	Rs. 150, 175, 200 and 250	Rs. 180, 220, 260 and 300.
Deputy Superintendents by grades.	Rs. 250, 300, 400 and 500	Pay on time scale rising from Rs. 200 to 700. Officers promoted from non-gazetted ranks starting not less than that drawn as Inspectors.

(Question 390 was put and answered on the 18th March 1921. See Volume I, No. 9, page 466.)

### ZAMINDAR DISTRICT INSPECTORS OF SCHOOLS.

**391. Khan Muhammad Abdullah Khan.**—Will the Government be pleased to lay on the table the names and number of the District Inspectors of Schools, recruited from the zamindar class in the Province according to the new scheme?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain**—The list is laid on the table. The following belonging to the zamindar class were promoted from the Subordinate Educational Service to the Punjab Educational Service recently:—

1. M. Fazl Hussain, M.A., District Inspector of Schools, Multan.
2. M. Fazil Muhammad Khan, B.A., District Inspector of Schools, Muzaffargarh.
3. M. Ahmad Khan, B.A., District Inspector of Schools, Gujrat.
4. M. Fazl Mahmud, B.A., District Inspector of Schools, Mianwali.
5. M. Abdul Latif, B.A., Officiating District Inspector of Schools, Ferozepore.

### INCREASE IN REVENUE IN THE MUZAFFARGARH SETTLEMENT.

**392. Khan Muhammad Abdullah Khan.**—(a) Will the Government be pleased to inform this Council what increase in the revenue was forecasted in the Muzaffargarh settlement?

(b) What were the reasons for this forecasted increase?

(c) Has the failure of the Talheri Canal for the last five years been considered in the preparation of the forecast?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The answers to parts (a) and (b) of the question will be found in the Muzaffargarh Forecast Report and the orders thereon which have already been laid on the table.

The third part of the question appears to be based on a misunderstanding of the nature and function of Forecast Reports. These are briefly indicated in paragraph 223 and in Appendix II of the Settlement Manual. All that is required in a Forecast Report is that it should show clearly whether the financial prospects are such as to justify the undertaking of a general re-assessment, and whether there are any other reasons which make a re-settlement desirable. The actual amount of assessment to be imposed, the system of assessment (fixed or fluctuating), and its distribution over various classes of land or irrigation, as well as all details of the kind now in question, are all questions that can only be answered in connection with the Assessment Reports.

### SUPPLY OF RASAD TO TOURING OFFICERS.

**393. Khan Muhammad Abdullah Khan.**—(a) Is it a fact that arrangements to supply *rasad* to officers on tour will be made by contractors in future?

(b) If so, are the Tahsildars and Naib Tahsildars included in the officers?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—(a) The answer to part (a) is yes.

(b) No distinction has been made in this matter between Tahsildars and Naib Tahsildars on the one hand and other officers on the other, but the arrangements in question are not obligatory in the case of camps of which the total number does not exceed ten.

### TAHSIL SANAWAN.

**394. Khan Muhammad Abdullah Khan.**—(a) Is it a fact that the tahsil of Sanawan in the Muzaffargarh District was transferred to Kot Addu in the same district on account of the insanitary condition of the place?

(b) If so, will the Government take steps in the near future to improve the sanitation of Sanawan?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(a) Yes.

(b) Sanawan was inspected by the Officiating Sanitary Commissioner and his report showed that, in addition to a drainage scheme of great magnitude, almost complete abolition of irrigation except from wells would be necessary. As rice cultivation is the only cultivation possible on most of the land and is moreover so profitable that it is hardly practicable to restrict it sufficiently to prevent it from affecting the health of the town, no action in the near future appears possible. Any representation from the proprietors and residents of Sanawan asking for the stoppage of canal irrigation will be duly considered.

#### SIND SAGAR CANAL.

**395. Khan Muhammad Abdullah Khan.**—

(a) Is it a fact that owing to the delay in the construction of Sind Sagar Canal, illiterate zamindars of Thal in the districts of Muzaffargarh, and Mianwali have disposed of and are still disposing of their landed property at a nominal price of one rupee per acre.

(b) If so, will the Government take immediate steps to stop the sale of lands till the opening of the abovementioned canal?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—There is not time to refer to the districts concerned for the information asked for in part (a) of this question and Government has no definite information on the subject, (b) there is no legal means of preventing the sale of land within the area to be commanded by the Sind Sagar Canal, so long as sales do not contravene the provisions of the Punjab Alienation of Land Act, 1900.

#### TEACHERS IN MUZAFFARGARH DISTRICT.

**396. Khan Muhammad Abdullah Khan.**—Will the Government be pleased to lay on the table the number of trained and untrained teachers in the Muzaffargarh District?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—The number of trained and untrained teachers in the Muzaffargarh District on 31st March 1920 was as below :—

	<i>Men teachers.</i>	<i>Women teachers.</i>
1. Trained ...	243	4
2. Untrained...	112	34

#### TRAINED STUDENTS AS TEACHERS.

**397. Khan Muhammad Abdullah Khan.**—(a) Is it a fact that students who pass the training course in the second division are not enlisted as teachers?

(b) If so, will the Government enlist as teachers those who pass in the second division?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(a) The answer is in the negative.

(b) Students who pass in all divisions are enlisted as teachers.

#### PUBLIC ACCOUNTS COMMITTEE.

**The Hon'ble the President.**—I have to announce that His Excellency the Governor has been pleased to constitute the Public Accounts Committee as follows :—

1. The Hon'ble Sir John Maynard,
2. The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia,
3. The Hon'ble Khan Bahadur Mian Fazl-i-Husain,
4. The Hon'ble Lala Harkishan Lal,
5. Mr. B. T. Gibson,
6. Mr. Manohar Lal,
7. Malik Firoz Khan,
8. Diwan Bahadur Raja Narendra Nath,

[ The President. ]

9. Mian Muhammad Shah Nawaz,
10. Chaudhri Bans Gopal,
11. Sayad Muhammad Husain,
12. Sardar Dasandha Singh,
13. Sayad Ghulam Muhammad Shah,
14. Mr. Ganpat Rai,
15. Rai Bahadur Lala Sewak Ram,
16. Maulvi Muharram Ali Chishti, and
17. Pandit Daulat Ram Kalia.

### SIKH GURDWARAS AND SHRINES BILL.

The Hon'ble the President.—The Council will now proceed to consider the Sikh Gurdwaras and Shrines Bill.

As the Council is new to Bill procedure, I may explain that a motion for leave to introduce a Bill is ordinarily treated as a purely formal matter. Indeed under rule 18 the Council need not be asked for leave in the case of a Government Bill, which has already been published in the Gazette, as is the case with the Bill now under discussion. The general discussion of a Bill takes place ordinarily on the motion to refer it to a Select committee. This is the procedure contemplated in Standing Order 38, which runs as follows :—

"If a motion for leave to introduce a Bill is opposed, the President, after permitting, if he thinks fit, a brief explanatory statement from the member who opposes the motion, may put the question without further debate."

I shall enforce this procedure in the present case.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—Sir, I do not propose to make a detailed

and exhaustive statement as to the principle underlying the Bill, as the proper time for that will come when I am placing before the Council the

second motion that stands in my name, that is to say, that the Bill be referred to a select committee. At this stage I only wish to invite the attention of the Council to the Bill that has already been published in the *Punjab Gazette* and copies of which have been circulated amongst the members of this Council—in English as well as in Urdu. A statement printed as "notes on clauses" has, I have no doubt, already been considered by the members of this Council, and it explains the underlying principles of the Bill. As I do not anticipate there will be any opposition to the introduction of the Bill, as distinct from its consideration and from its amendments, I do not wish at this stage to add anything to what I have already submitted.

The motion :

"That leave be granted to introduce the Bill."

Was put to Council and carried.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—I now introduce the Bill.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—Sir, I beg to move :

"That the Sikh Gurdwaras and Shrines Bill be referred to a Select Committee consisting—

The Hon'ble Sir John Maynard,

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia,

The Hon'ble Lala Harkishan Lal,

Sardar Bahadur Sardar Mehtab Singh,

Sardar Dasandha Singh,

Baba Hardit Singh, Bedi,

Rai Sahib Sardar Harnam Singh,

Mr. Ganpat Rai,

Maulvi Muharram Ali, Chishti,

Mr. T. P. Eltis, and myself.

That the Select Committee be requested to send in its report by the 7th April 1921, and that the same be presented to the Council on the 8th April 1921."

**Mr. Manohar Lal.**—Sir, I rise to a point of order. I want to know whether the motion is in order at this stage. The Select Committee is to be requested to send in its report by the 7th of April. You will see under Standing Order 39 that the Member in charge may move that a Bill be referred to a Select Committee. There is no indication as to when the Select Committee should report. As a matter of fact, you will see, Sir, that under rule 42 such report shall be made not sooner than two months, unless the Council itself directs to the contrary.

**The Hon'ble the President.**—Standing Order 42 clearly provides that such report shall be made not sooner than two months from the date of the first publication of the Bill in the *Gazette*, unless the Council orders the report to be made sooner. The motion of the Hon'ble the Minister for education is in order.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—My speech in support of this proposal has been printed, and I believe has been placed on the desk of each member present. If it has not been placed in a prominent place so as to attract attention will those members who have not got it kindly look for it. They will find it in the rack if not on the desk. As the speech has been circulated, with your permission, Sir, I will make my remarks now in the vernacular to save time.

I propose placing before the Council, in the first place, certain facts which have led me to bring this matter before the Council. It will be remembered that only last month a resolution was moved by me in this Council to the following effect: "This Council recommends that the Local Government take early steps to introduce a Bill overhauling the law relating to charitable and religious endowments in the Province, and pending its presentation and passing, it recommends that the Governor-General may be asked to make and promulgate an Ordinance on the subject, so that the movement to alter and reform the existing management of such endowments

may cease to threaten the peace and good government of the Province." This resolution was on the whole favourably received by the Council, but some of the Sikh members had adopted an attitude of indifference towards it, alleging that though they were not ready to support it, but they were not prepared to oppose it—an attitude which no doubt damped my enthusiasm and made me hesitate to proceed with the measure, inasmuch as the community whose representatives were expected to welcome the proposal and co-operate in moulding it, were not forthcoming to do their part of the duty. In the course of my speech in support of the resolution I had made it clear that unless I found active support from the Sikh representatives on the Council, I would feel diffident in proceeding with the measure. There was slight opposition from an unexpected quarter on the ground that the existing legislation was sufficient and no new legislation was needed. Since then I have had reason to believe that the Sikh community are strongly of opinion that the existing law does not meet their requirements and that they do want fresh legislation. It is for this reason that I have now brought in this Bill.

Before I proceed to establish where the existing law is deficient and in what respect fresh legislation is required, I think it will be useful if I make clear to the Council how the new regime under the Reforms Scheme affects this subject. The subject matter of this Bill comes under the category of the religious and charitable endowments, and is a Provincial subject as distinct from a Central subject, and is also a "transferred" subject as distinct from a "reserved" subject. As it is a Provincial subject this Council has the full control of it and does not depend upon the Government of India in the matter of legislation dealing with the subject. As a "transferred subject" this Council through its Minister exercises a large power of control as compared with reserved subject. In other words, this is a subject over which this Council has complete control, and as long as the provisions of this Bill do not encroach upon a

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reserved subject or a Central subject can effect any alterations that it pleases to make. The Bill as it has been drafted is open to such alterations as the Council may be pleased to make therein. Under the Regulations, it is necessary to obtain the leave to introduce a Bill, and at this stage the Council deals only with the principles underlying the Bill, and not with the various provisions of the Bill which properly come under discussion either when the Bill is being taken into consideration by the Council, after or without having been referred to the Select Committee.

Now I will proceed to state the case for the Sikh community, I mean those who seek to alter the existing conditions. They allege that their *gurdwaras* and shrines are in a deplorable condition. They contend that the *mahant* and *pujaris* in charge of most of their *gurdwaras* and shrines are men of bad character, men who misappropriate the funds of these institutions, men who instead of being saintly and thus likely to exert a salutary influence on the worshippers of the shrines, are evil minded, wicked, vicious and in fact so low and depraved as to contaminate the simple faithful worshippers of these shrines. It is alleged that these *mahant* and *pujari* have on account of circumstances over which they, the beneficiaries, have had no control assumed in some cases the role of proprietors, that instead of being appointed as servants of the institutions, they have arrogated to themselves the right to succeed on account of being bodily or spiritual heirs of the last *mahants*, that in cases where a *mahant* appoints his successor, the appointments have been made from motives other than righteous and spiritual. It is claimed that *mahants* and *pujaris* instead of being given to religious and spiritual vocations, attending to the spiritual needs of the votaries of the shrines, have become worldly, and have been dancing attendance upon officials in order to strengthen their position against those who are anxious to seek reform in their places of worship. They further

claim that efforts have been made to have these grievances redressed, but these efforts have invariably failed. On the executive side individual worshippers have had no chance against the influential *mahants*; on the judicial side there has not been sufficient cohesion amongst worshippers to enable them to collect funds and to fight out cases against wealthy and unscrupulous *mahants* in possession; that the law as it stands demands that any worshipper trying to have a *mahant* removed cannot even go into court without first obtaining the sanction of the Advocate-General or the Collector; that the power to grant sanction to sue is discretionary and that the discretion has not been always exercised in favour of the worshipper; that the refusal to grant sanction closes the door of litigation for good, there being no appeal against it; that even when sanction is granted litigation with the object of having grievances redressed is a lengthy, expensive, irksome proceeding wherein powers of organization and control of funds place the persons in possession in a position of advantage.

To put it briefly it comes to this that the provision of law making it necessary for a beneficiary of a trust to obtain permission to sue a trustee in possession, is certainly not a provision for the protection of charities but for the protection of those individuals who are in immediate charge and possession of the endowment. An aggrieved person can ordinarily proceed at once to safeguard his rights, on his cause of action, but not so the beneficiary of an endowment. He must first go to the Advocate-General and obtain his permission in order to qualify himself to sue. He has to incur some expense in obtaining the necessary sanction. Thus the Sikh reforms grievances are in the first place that the trustees in charge of their religious and charitable endowments are undesirable and wicked people, and in consequence these institutions fail to perform those functions for which they were created, and it should be possible for the beneficiaries of these endowments to have



reforms affected in them. In the second place that the estates and incomes of these endowments are not used in the way in which they were intended to be utilised. It is claimed that it should be possible for the beneficiaries of an endowment to have a scheme prepared to carry out the objects of that institution. Thirdly, in order to insure this object it should be possible to so regulate the appointment to trusteeship of an institution that the evils which at present exist may not creep into it again.

On the other hand, the *mahants* and *pujaris* in possession plead that facts do not support these sweeping assertions that the reformer make against them. They urge that there are black sheep amongst them as there are black sheep amongst the worshippers and beneficiaries of *gurdwaras*; that it is not right to condemn the class as a whole for the sins of individuals belonging to that class; that they themselves are ready to expel any one who is unworthy of the great trust and confidence which beneficiaries repose in the *mahant* or trustee of a religious shrine; that if they are right in their assertion that they are not all bad, there is no reason why a sweeping assertion against them all be accepted as correct and they condemned as a class. They allege that the movement against them is due to the fanatic zeal of a section of advanced Sikhs who want to deprive their conservative brethren, those Sikhs who do not see eye to eye with them, and those Sikhs that have since a long long time been opposed to their activities. They claim that Udasis came into being soon after the death of Guru Baba Nanak and are the followers of his son Sri Chandraji who was a spiritual leader of great eminence, and that they have been persecuted at times by some of the gurus who succeeded Guru Baba Nanak. It is, they allege, a moot point whether Sikhs as a class recognise them as a part and parcel of their community. They have made representations and claim in this tone. They claim that no civilised government should interfere with matters religious and matters connected with beliefs. They, further con-

tend that in a civilised country it should be open to individuals to hold such beliefs as they like and have such forms of worship as appeal to them best, that no one has a right to impose his form of worship or his form of faith on others.

There is a great deal of truth on either side. But it seems to me, Sir, that the issues that arise out of these rival contentions are simple and clear. Before stating the issues I think it advisable to state the points of agreement: firstly, that a corrupt and wicked trustee, be he a *mahant* or a *pujari*, be he a Sikh or an Udasi, has no right to remain at the head of a religious or charitable institution. They very nature of these institutions demands a high standard of morality and a personality capable of exercising healthy religious and moral influence over the votaries of the shrine. In the second place, whatever the income from an estate attached to a shrine, and from the offerings at the shrine is considerable, it should be spent in promoting the objects of that shrine. Thirdly, where a shrine is obviously a shrine belonging to a particular sect it should remain in charge of that sect. I understand there is no desire on the part of Sikh reformers to take possession of sectarian shrines, that is to say, the shrines which are, for instance, essentially Udasi shrines, having been founded by Udasis for the benefit of their sect.

Now I will turn to the points at issue between the two parties. (1), Is a particular *mahant* of bad character, vicious habits and unsuited to the high dignity of his exalted office as the spiritual head of a shrine or not? (2) Are the funds of a particular shrine being misappropriated, misused, diverted to objects personal to the *mahant* or not? (3) Are the particular estates the property of the shrine or the private property of the *mahant*. (4) Whether a particular shrine or *gurdwara* has been endowed by the Sikh community, or by a guru or by some one in memory of a guru, and dedicated not to a particular sect but to the community as a whole? (5) The best scheme of administration. (6) The

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most suitable way of holding religious observances and ceremonies. It will be noticed these are questions of facts and one cannot go into them with reference to *gurdwaras* as a class.

Now I find that a satisfactory and permanent solution of the points in dispute cannot be affected till we know the history of every institution which comes into dispute, and ordinarily one would have preferred to have appointed a commission of inquiry to make a survey of the *gurdwaras* and shrines in dispute, and to report so that on the basis of that report this Council could proceed to legislate and settle the matters finally. However, it seems to me, Sir, that circumstances beyond our control have made it necessary for us to have recourse to an "emergent" provision not only for an inquiry into the administration and management of certain *gurdwaras* and shrines, but has made it necessary for me to place before this Council a Bill which contemplates the creation of a Board of Commissioners to supervise the administration and management of certain *gurdwaras* and shrines in the Punjab. The circumstances I have alluded to, Sir, are only too well-known to the members of this Council, and in the course of my speech in support of the resolution I have already referred to, I dwelt on those circumstances at length. It was in the year 1919 that considerable dissatisfaction was expressed against the management of the Golden Temple at Amritsar, and its manager was violently criticised. The appointment of a Sarbarah in 1920 did little to allay the agitation, as the demand was for complete control to be placed in the hands of the Sikh community. In September 1920 there was a movement in favour of raising a body of Sikh martyrs to repair the well of the Rekabganj *gurdwara* at Delhi. In October 1920 the management of the Takht Akal Bunga at the Golden Temple was attacked, and on the 28th October 1920, a *jatha* of the Central Majha Diwan took possession of a part of the *langar* of the Golden Temple. In November 1920 a

committee of 175 members from different parts of the Province was formed in Amritsar to manage and administer all Sikh *gurdwaras* according to the dictates of the Sikh religion and principles of Patihik organisation, and to lay down and arrange for the observance and ritual and ceremonies in all Sikh *gurdwaras* according to the principles of Sikh religion. It appears that this institution did not advise or encourage Akali *jathas* to take possession of *gurdwaras* either by force or by show of force; but it is not clear how the Committee intended to obtain control of all Sikh *gurdwaras* with the object of managing and administering them. It seems fairly clear that the Committee had little or no control over the activities of the Akali *jathas* which, it is alleged, approached various institutions from time to time to obtain control over them. On behalf of *mahants* and *pujaries*, the parties in possession, it is alleged, that the Akali *jatha* have by show of force, aye, even armed force, established a reign of terror, thus making *mahants* and *pujaries* either to surrender possession or to make terms. Wherever a *mahant* has not submitted to the Akali *jathas*, it is alleged that he has come to grief. In the month of November the Akali *jatha* seized Panja Sahib shrine at Hassan Abdal. In December the Sacha Sauda *Gurdwara* of Sheikhpura District was seized by an Akali *jatha* and the *mahant* expelled. In January 1921, the *gurdwara* in Chola village in the Amritsar District was seized by a party of Sikhs of the Manjha, and later in the month an Akali *jatha* proceeded to Tarn Taran where a riot took place and there was bloodshed. Long before this, similar incidents had happened at Baba-di-Ber shrine in the Sialkot district and the Gojra *gurdwara* in the Lyallpur District. On 31st January, 1921, it is alleged that the Akali *Dal* of Wachhoha went to the Guruka Bagh *gurdwara* and settled terms with *mahant* Sundar Das. When these activities of the Akali *jatha* assumed dangerous proportions it was felt that the contemplated legislation had better

be foreshadowed in order to appease the desire of those who were genuinely out for reform of their religious institutions. Accordingly on the 8th of February a *communiqué* was issued pointing out that on the Legislative Council assembling necessary steps will be taken to meet all legitimate demands for reform in the law relating to charitable and religious endowments. This, however, appears not to have had much effect. On the 11th and 12th February a large party of the Akali Dal are alleged to have gone to Khadaur Sahib *gurdwara*, Amritsar District, and taken possession of it, together with some shops and land adjoining it, expelling the *mahant* from the said place. The *jatha* is alleged to have demolished an idol in the *gurdwara*, worshipped by Hindus. The Government realising all these difficulties, in the first instance, issued the following *communiqué*:—"In view of the recent troubles connected with some of the Sikh shrines in the Punjab, the Government has decided to move the Legislative Council to appoint a committee to examine the question generally and to prepare such legislation as may be necessary to meet the existing situation." It was felt, however, that this announcement was not enough, and as the Council was not to meet till the 23rd of February, it was announced that at the meeting at the Legislative Council the following resolution will be moved by Sardar Bahadur Sardar Mehtab Singh:—(a) That this Council moves the Local Government to appoint a committee of inquiry to consider the existing management of the Sikh *gurdwaras*, shrines, etc., efforts being made to alter such management and to report on the best methods of settling disputes and of regulating the future control of the institutions. (b) That the aforementioned committee be constituted as to give adequate representation to all parties concerned." It was felt that in the interval, i.e., before the meeting of the Council at which the above resolution was to be moved, a conference of the Sikhs representing the party of reform and the party in possession of the *gurdwaras* and shrines be called to meet at Lahore

with the object of formulating the points at issue between them, where possible settling their disputes amicably, and such points as remained in dispute should be gone into by the committees to be appointed in pursuance of Sardar Mehtab Singh's resolution. Unfortunately this conference did not come off. The *jatha* party went on organising and maturing plans for taking possession of *gurdwaras*, while the party in possession announced a conference of their own to be held at Lahore on the 19th and 20th February. Thus neither the conference proposed by Government nor the news of the resolution to be moved by Sardar Mehtab Singh in the Legislative Council succeeded in preventing the *jathas* and the party in possession from coming in conflict with each other. On the 20th February occurred the tragedy at Nankana Sahib which disclosed the commission of a most heinous and horrible crime unparalleled in the history of this Province. The matter was under investigation and is now before a court of justice. It appears that the activities of the Akali *jatha* did not abate, for it is alleged that on 6th March 1921, Akali *jathas* proceeded to take possession of Sadhu Ram's *dhamra* at Sheranwala Gate of Lahore City, and on the 8th a *jatha* appears to have proceeded to Manakwala *gurdwara* near Raewind, and two days later possession was taken of Kiara Sahib *gurdwara* at Nankana. Several complaints have poured in from different parts of the Province. Such defiance of law as is alleged to have taken place could not be ignored and in the interests of peace and good order and in the interests of those whose rights have to be protected and guarded, proceedings against those who were alleged to have committed offences were taken in some cases. Government naturally does not want to prosecute any one who is innocent and who has not broken the law of the land, and I believe the reformers are absolutely genuine when they say that they have no desire to protect those who are criminals. But I believe I am right when I state that the whole position is

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far from satisfactory. So far as the genuine reformers are concerned, Government sympathises with them; so far as they want justice, Government is ready to revise the machinery for administering justice; so far as their desire to secure purity of Sikh religion is concerned, I sympathise with the movement; but Government cannot be a party to encouraging or discouraging any one in purely religious matter. Where *mahants* and *pujaris* are at fault, either on account of their bad character or on account of defalcations that they are alleged to commit, Government is ready to bring the offenders to justice. It is on these principles that the present Bill, Sir, is based. Government has an open mind. The management and administration of *gurdwaras* and shrines are challenged. It is in the interests of persons in possession themselves that they should offer an open inquiry into the matter and the Bill makes provision for a sympathetic but thorough, predominantly Sikh but impartial commission of inquiry into the management and administration of these institutions, into their history, into their objects and aims with a view to have the whole matter settled permanently. It is possible that in a matter of this sort contending parties may come to terms and settle their mutual differences between themselves. This Bill makes provision for such contingencies. As at present, on the one hand, the *Akalis* *jathas* have it is alleged, by show of force established a reign of terror, it seems necessary in the interests of those who seek reform as well as those who are in possession of these institutions that *gurdwaras* and shrines vest in this commission so that contending parties may not come to blows and may not prejudice their respective claims and rights.

It will be noticed, Sir, that the basic idea of the Bill is a very simple one. First and foremost it should be remembered that the Bill is an "emergent" provision of law and essentially of a temporary nature. When I say emergent, I mean, Sir, that it should be made into law as

soon as rules permit and as soon as this Council can make it; that this Council is not, I beg, Sir, to take long in deliberating over it for two reasons—first, because the state of affairs prevailing in the Province is such that there is unrest everywhere, that those whose position has been disturbed are naturally bearing grudge against those who ousted them and contemplating litigation. There is unrest amongst those who find that their comrades who are alleged to have taken possession either by use of force or by show of force are being prosecuted and are in some cases in custody. Is it wise to allow such a state of restlessness to grow? In the second place, the Bill is a temporary one and does not contemplate any change of title unless it is by way of compromise. Its salient features are (1) that it does not deal with all *gurdwaras* or shrines but only with such as are "disputed" *gurdwaras* or shrines. In the second place, as soon as a *gurdwara* has been declared to be in dispute, it vests in the Board of Commissioners themselves to avoid rioting and bloodshed. It will be noticed, Sir, that in the Board of Commission provision is made for the preponderating element to be Sikh and non-official. But for the fact, Sir, that there is considerable feeling between the Sikhs on the one hand and the Udasis, etc., on the other, the personnel of the Board of Commissioners might have been entirely Sikh. Thirdly, the measure is a temporary one—to remain in force for a period in no case exceeding three years. In fact if the matters settle down, for instance, by way of compromise, or the report be ready soon, the Bill need not remain in force for even one year. The functions of this Board will be threefold,—one to hold possession and manage the institutions. It will be noticed that necessary provision is made to enable the Board to take possession of the institutions and the estates belonging to them and provision is also made for their managing these institutions efficiently, involving as it does the keeping of records and accounts, appointment of officers and servants. Secondly, the settlement of disputes. It will be noticed that

this power to settle disputes is with reference to all matters in dispute. But it will be noticed that if a claim is put forward against an estate belonging to the institution to the *gurdwara* or shrine, the decision of the Board is subject to the jurisdiction of a civil court. Thirdly, that during the continuance of the declaration above referred to, except under certain limitations suits and proceedings under the civil law and the Criminal Procedure Code are barred. Fourthly, an exhaustive inquiry and illuminating report, to enable Government in contentious cases to bring in legislation to settle these matters finally. I claim, Sir, that an emergent provision of this nature, a temporary provision of this kind, could not aspire to do more than this Bill aims at. How is it received? So far as the Sikh reformers are concerned, so far as the Sikhs desiring to alter the existing management are concerned, they allege that the Bill does not give them what they desire, that is to say, the sole control of all the *gurdwaras* that they claim belong to the Sikh community.

(2) That they do not know who the Commissioners will be. (3) That the Commissioners will not have the power to settle all disputes finally. These objections against the Bill are well founded. But, Sir, it should be remembered that this Bill does not pretend to settle the disputes between those who seek alteration of the existing management and those in possession, but only purports to create a machinery to collect the necessary material on the basis of which the claims of contending parties can be finally settled. As to the second objection, again it is obvious that every care is to be taken, every precaution used, to appoint men who will command the confidence of all parties interested in this matter, who will satisfy those who seek change and those who want to maintain the *status quo*, and no efforts will be spared to seek and appoint such men. As for the third objection, there again the objection is well founded, but it was never intended that this Board of inquiry and Board to record compromises should be invested with full judicial powers ousting the jurisdiction of the

courts established in accordance with law. In fact, Sir, even if this Council desire to do so, administration of justice being a Central subject, it would be beyond the jurisdiction of this Council. Moreover, it is open to doubt whether even the Indian legislature could oust the jurisdiction of courts established by law under an enactment of British Parliament. There is, however, power vested in this Council to legislate on the basis of the report that the Board of Commissioners will make, and I would appeal, Sir, to those who seek reform to wait till this report is ready.

Then, the Bill is looked at with suspicion by those in possession, on the ground that it divests them of possession, at all events for some time. They urge that even where a *mahant* is a good man, is a saintly person, and there is nothing against him, an *Akalis jatha* may try to oust him, not because of his bad character, not because of defalcation, but because of his persuasion of a religious belief different from that of the *Akalis jatha*. Is it, he claims, right to do so? What guarantee is there that this commission will sympathetically consider his case as it is likely to be preponderatingly Sikh in inclinations. There is some force in this contention as well. But it should be remembered that this measure is to relieve the acuteness of the situation as it exists. Instead of having to surrender possession to perhaps irresponsible people, is it not to the advantage of the person in possession that a responsible Board of Commissioners assume administration of the institution and its estates, making due provision for the maintenance of these connected with a shrine having claims and not required for the time being to serve on it?

Then, Sir, some criticism has been levelled against the Bill from an unexpected quarter. Certain Hindu institutions and men allege that this legislation is likely to trespass upon their rights. This suspicion, Sir, is altogether unfounded. I have been assured by representative Sikhs that they have no such desire, that they do not want to touch any



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institutions other than those which are *gurdwaras*, that is to say, institutions in memory of their *gurus*, their martyrs and their saints. Even if there were certain Hindu interests, so far as I can judge, Sir, there is nothing in the Bill which causes forfeiture of those interests.

So, Sir, I trust that this Bill, the very first that has been presented to this new and reformed Council, will receive careful consideration, and that the Council will enter into the spirit of this *emergent temporary* legislation which is being brought forward in the interests of justice, to help on the one hand those who honestly claim reform and those who honestly want to retain the control and management of the institutions that they have served well and served so long, that it enables the reformers to do away with corruption and at the same time protect the honest and good manager of his religious institution. It is in this spirit that I, Sir, want this Council to deal with the very first Bill which I am now seeking leave to introduce. I cannot help, Sir, emphasising one point before I finish. Nation building, Sir, cannot achieve any success unless there is a great measure of toleration present. It is in this spirit of tolerance that all who love their country should approach the disputes which it is but human to have, and I have no doubt that if this Council approaches this problem in the spirit of tolerance, there will not be any insuperable difficulty in the way of peaceful and satisfactory settlement of all disputes. I, Sir, feel hopeful, and trust that as soon as this emergent law is enacted and the Board of Commissioners constituted, most of the existing disputes will be amicably settled, and in such cases where a settlement is not arrived at, our Commissioners will be able to furnish a report on the basis of which this Council could proceed to legislate in a just and equitable manner. It remains for me to refer to the two remaining points of my motion, *viz.*, the constitution of the select committee and the date of the presentation of the report. The Council will observe, Sir, that the

select committee has been so constituted as to give representation to all points of view. I have suggested that the committee should send in their report so as to permit of its being presented on the 8th, in view of the urgency of the measure. The select committee will doubtless make such amendments in the Bill as are required and the Council will have a further opportunity to amend the Bill after the presentation of the report. I feel sure that I shall have the Council with me in the motion I have made and I appeal to it to give me its support in this difficult matter.

Diwan Bahadur Raja Narendra Nath.—

12 noon. Sir, I propose:

'That the Bill be circulated for the purpose of eliciting opinion thereon and put up before the Council by the 15th of May.'

I have very strong objections to the principles of the Bill which, with your permission, Sir, I will put before the Council.

The Bill makes a new departure in the history of Indian legislation. It is not in consonance with modern ideas of the co-relation of Church and State. It contravenes under certain conditions, the wise policy followed by the British Government in India of non-interference in religious matters, and lends State aid to religious reform. I will presently explain more fully what I mean. I confine my remarks to the statements of objects and reasons. The Board of Commissioners which it is proposed to appoint will obtain information on certain points to enable Government to know what legislation is needed to ensure that the *gurdwaras* and shrines shall perform their proper functions, namely, the maintenance and furtherance of the Sikh religion. We have not been told what that legislation is to be. Anyhow the Board will have to consider at once the question, what is conducive to the furtherance and maintenance of Sikh religion.

If this question were put with regard to the Hindu, Muhammadan or the Christian religion, do you think, Sir, that considering the various sects into which each of these religions is divided, there



would be unanimity in the answer returned. Supposing the question is whether idol worship and belief in the Avatars is or is not an essential feature of the Hindu faith. The Arya Samajists and the Brahmo Samajists, both of whom are important sects of the Hindus, would answer it in one way and the Sanatan Hindus whose number is to be counted by millions would answer it in another way. In the Punjab the Arya Samaj has amongst its followers and sympathisers a very large number of educated Hindus. A large majority of the educated Hindus do not favour idol worship and they are better organised and more articulate than the teeming millions of Sanatanists. Similarly with regard to Islam, there are Shias and Sunnis, there are the followers of Abdul Wahab called Wahabis, of Syed Ahmad Khan, the followers of Mirza Sahib of Kadian, and there is the large bulk of old fashioned orthodox Muhammadans. There are various questions of which instances need not be given on which the followers of these sects hold divergent views. The question what is conducive to the maintenance and furtherance of Islam would puzzle the Muhammadans as well. I need not dwell on the divisions of the Christian religion. The sects and the Churches are numerous.

We were promised a legislation under which a board organised on the lines of Charity Commissioners in England would be established. But the Charity Commissioners make no attempt at the solution of the question what is conducive to the maintenance and furtherance of the Christian religion. The Charity Commissioners are a body appointed under the Charitable Trust Act of 1855, 18 and 19 Vic. C. 124. Their functions are analogous to those of Committees which can be appointed under Sections 7 and 8 of Act XX of 1868 (Religious Endowments Act). The powers exercisable by the Charity Commissioners are described in paras. 605-623 of Volume 4 of Halsbury's Laws of England. Paragraph 605 runs as follows:—

"The powers exercised by the Charity Commissioners in relation to charities are deprived mainly from the Charitable Trusts Act, 1853 to 1894. The object of these Acts is, shortly, to protect property belonging to charities against law and to provide a simple and economical way of carrying out the charitable intentions of founders where such intentions are inadequately expressed in the instruments of foundation (f)."

Paragraph 624 describes the nature of the jurisdiction, I reproduce it below—

"The Charity Commissioner may acting personally or through Assistant Commissioners (e), inquire into the condition and management of all charities in England and Wales which are not expressly exempted from their jurisdiction (d)."

There is absolutely no question of ascertaining what is or what is not conducive to the maintenance of the Christian religion.

I look upon Sikhism as higher Hinduism. It is a reform of Hinduism as it existed at the time when Gurm Nanak was born, i.e., about the middle of the 15th century. The *Granth Sahib* is nothing more nor less than the higher teachings of the *Vedas* and *Upanishads* in popular language. I am aware of the fact that in the teachings of various founders of religions, separated from one another by time and space, there are many things in common. But in the case of the Gurus the fact cannot be ignored that they were Hindus born. They were brought up in the midst of Hindu associations and Hindu traditions. I need not dilate upon the close connection between the Hindus and Sikhs. It is well known that of two brothers one may be a Hindu and the other a Sikh, and that the Sikhs and Hindus inter-marry freely. Khatri and Arora Sikhs living in towns are supposed to follow Hindu Law. In this connection it would be interesting to peruse the Privy Council Ruling reported as No. 84-P. R. 1903, in which the learned Judges of the Privy Council held that Sikhs were Hindus.

There is no wonder that a religion that has existed for the last five hundred

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years should be divided into sects. That the Sikhs are so divided, admits of no doubt. The main divisions ignoring the popularly accepted nomenclature, are the following :—

- (1) The advanced Sikhs well organised and well educated puritanic in their ideas.
- (2) The orthodox Sikhs who conform to some of the old Hindu practices but who are strict observers of Sikh ritualism.
- (3) Sahaj Dharis who, revere the *Granth* and the Gurus but who are not strict observers of Sikh ritualism.

Hindus in the Western Punjab and Sind, where the influence of Islamic Monotheism has been felt more than in other places, mainly fall in the last category. I have personal knowledge as an official, of the Western districts of the Punjab, and I can say that in rural areas of these districts there are more Dharamsalas where Granthis recite the *Granth Sahib* than temples dedicated to Shiva or Vishnu.

To the question what is conducive to the maintenance and furtherance of Sikh religion, the last two classes will return on many points an answer absolutely different from that of the first. Whose answer is Government going to accept ?

Coming now to the question of the Board of Commissioners: How is this Board going to be constituted ? I presume that there will be one board for the whole province. If each *gurdwara* is going to have a separate Board of its own, I hope that the principle on which the appointment of the Commissioners is to be made will be fixed once for all and will be strictly adhered to in making appointments on the Board. The Board will inquire into the history and origin of *gurdwaras*, and surely Government is not going to form an opinion about the history of each before the enquiry is held.

Government should not therefore make appointments for each *gurdwara* according as Government think, that the history of the *gurdwara* (unascertained and to be ascertained by the Board), requires. Are classes 2 or 3 who form the bulk of the followers of the Gurus to form a majority on the Board ? If the Board is going to determine, as it will, the question what is conducive to the maintenance and furtherance of the Sikh religion, are the beliefs and articles of faith of the advanced class going to be forced, on the others or *vice versa*. Is not this interference with religion ?

In the first place I seriously question the wisdom of putting for solution religious conundrums before a Board consisting of men whose views conflict with one another. Fancy a question relating to modes of worship on which Catholics and Protestants differ being put before a Board of Catholics and Protestants to decide which form of worship is conducive to the maintenance and furtherance of the Christian religion. If such a course would be unwise in the case of Christians how could it be otherwise in the case of Sikhs. Religious belief admits of no compromises.

The question what are the essential principles of a certain religion may come up before a court of law. As far as I am aware the question has arisen with regard to Hindus in certain cases and it has been decided negatively, *vis.*, what does or does not militate against Hinduism but no court has yet defined in a positive manner what Hinduism is. I, however, contend that the frame of mind of a presiding officer of a court is and will always be different from the frame of mind which the Commissioners representing various sects and sitting on the Board of inquiry will bring to bear on the questions before them. Each Commissioner will be representative of his sect and will be on the Board not to administer impartial justice, but to represent the views of his sect and to protect its interests. The result will be either a dead lock or a

decision in accordance with the opinion of the majority. The crux of the problem is the constitution of the Board. How are the various sects going to be represented. Is the number of followers in each sect going to determine the proportion of their representatives on the Board. If so, will the advanced section be satisfied? If not, and if the advanced section is allowed to have its majority, is Government going to lend an aid to the reform of Sikh religion?

Let me tell you 'Sir, that the Akali *jatha* that has taken forcible possession of *gurdwaras* has two objects in view, first to get rid of *mahants* whose character is infamous and who misappropriate money, and secondly to introduce reforms in certain practices which have found their way into *gurdwaras* but which are not in strict accordance with the teachings of Gurus as the *jathas* interpret them. Both objects have not only the sympathy of the advanced section of the Sikhs but have also my personal sympathy. I am and have always been an advocate of reform in religion. But what I object to is that the Akali *jathas* have committed breaches of law, and secondly, that reform in religion should be effected without the aid of the State. If on the Board the advanced section is allowed to have their majority, and if it is allowed to have a representation far in excess of the proportion to which their numbers entitle them State aid is given to religious reform.

It has been said that the policy of religious non-interference was necessary when Government was bureaucratic, but it is no longer necessary now that popular Government has been established. But the popular Government established in India has a peculiar feature of its own. The democratic principle here is qualified by communal representation, a boon conceded to all minorities except the Hindus of the Punjab. Supposing the motion to introduce this Bill is carried by the votes of European Officers and Muhammadans, supplemented by the votes of the Sikhs of the advanced section, and under the

unanimous protest of all the Hindus or under a protest of an overwhelming majority of them, is the unwisdom of interference with religion mitigated by the fact that there is popular Government.

Let me bring to your notice, Sir, and to the notice of the members of this Council that communal representation has been extended and the proportion of representation of different communities in different provinces fixed in accordance with the recommendations of the Congress and the Muslim League as embodied in their scheme of 1916. There was one important provision in it to which the attention of the members of this Council must be drawn. The scheme laid down that no measure should be adopted by any legislative Chamber if the measure were objected to by a community as a whole or by a large majority of it. Communal representation was allowed by Government but its necessary safeguard was not adopted. I hope that under your chairmanship and under the guidance of our popular and universally respected Governor a convention substantially identical with the provision in the scheme will in course of time grow up.

The principle of religious neutrality so wisely and scrupulously observed by British administrators in India is one which no civilized state of modern times ignores. Religious toleration and religious freedom are not only the result of political freedom as now understood, but as the necessary corollary of modern ideas about religion and its functions. We are now taught to believe that it is not for man to say that my doxy is orthodox and your doxy is heterodoxy.

Take away Sir, from the Bill now before us, the enquiry as to what is conducive to the furtherance and maintenance of Sikh religion, recognise the fact that the Sikhs like other religious communities in the world have their sects and divisions, take away from the Bill a vaguely defined board, or guarantee that the majority of the Commissioners will represent the sects which form the

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majority of the Sikh population, and of those who revere the *Granth Sahib* and the Gurus, then what is left of the Bill is practically that which is already to be found in the existing law, a law which sanctions only the performance of duties and functions which the Charity Commissioners carry on. The existing law is to be found in section 145, Criminal Procedure Code, section 92, of Civil Procedure Code, Act XX of 1863, and Act XIV of 1920, and allows for the appointment of committees performing duties such as those of the Board of Charity Commissioners. I would not mind a Bill widening the scope of sections 3 and 4 of Act XX of 1863, but the present Bill covers a much wider field.

Let no false hopes be raised in the minds of those present here by the words "Board of Commissioners" or by the provision that two-thirds of the board will be Sikhs. On the answer to the question what Sikhs depends the whole problem. The period of 3 years for which the arrangements to be introduced by the board have to last is very significant. My friend the Hon'ble Minister prescribes a narcotic drug in the shape of this Bill which will lull the patient for a period of 3 years—a period which synchronises with the life of this Council. If I ask him what will happen when a Civil Court gives a finding in conflict with the decision of the Commissioners the answer will probably be "after us the deluge" even though it may come with redoubled force.

I would advise my friend that the problem should be looked straight in the face in broad light. It is no use drawing over it the thin veil of infructuous devices. It seems to me that the remedy for the present state of affairs is simple enough. If there are any *gurdwaras* or shrines, which are in danger of being invaded by the Akali *Jathas*, these should be guarded by police, armed police, if necessary, the cost to be recovered from the present occupant of the *gurdwara* or shrine.

As regards *gurdwaras* of which forcible possession has been taken, the *Mahants* forcibly dispossessed may be told in plain term that if they are aggrieved, they should seek redress in the ordinary Court of Law. It will be the duty of Government to carry out such order as the courts pass. Where is the necessity of convulsing the whole of the Hindu and Sikh populations of the Punjab, over intricate questions of religious belief or of delegating to a Board enquiries, which in nearly all cases will be implicated in Civil Courts 3 years hence. Before I conclude I wish to explain to the members of this Council what the sanction of Government of India under section 80-A, sub-section (3), of Government of India Act means. It only means that Government of India have considered so far the bearing sub-section (3) of section 80-A on the Bill. I am confident that the points raised by me will be duly considered by His Excellency the Governor, and by His Excellency the Governor-General in Council when they give their assent over section 81 of the Act. Under section 67 (3) (b) of the Government of India Act no measure affecting the religion, or religious rites of any clan of His Majesty's subjects can be introduced into the Legislative Assembly or the Council of State. It is not possible that the Governor-General or the Provincial Governor will ignore the principle of non-interference when giving assent under section 81 to an Act of the Provincial Legislature, which if it does not directly interfere with the religious rites of a very important section of His Majesty's subjects creates unnecessary disputes about religious beliefs and thereby destitutes the tranquillity of the Province.

My opposition to the Bill is summed up in two phrases "Bad Law and a bad administrative measure."

The Hon'ble the President.—The motion before the Council is:

"That the Bill be referred to a Select Committee."

The amendment is :

"That the bill be circulated for the purpose of eliciting opinion thereon and come up before the Council on the 15th of May 1921."

The debate should proceed on that amendment.

Mr. Ganpat Rai—May I ask, Sir, whether the Government is prepared to accept the amendment for a shorter period, so that the debate may proceed from that point of view. If, for instance, instead of the 15th May, 1st May is fixed, the debate may proceed from that point of view.

The Hon'ble Sir John Maynard.—The Government would prefer that the debate should proceed on the amendment as moved.

Rai Bahadur Lala Sewak Bam.—I rise, Sir, to support Raja Sahib's proposal. This proposal is of a very important nature. It affects the communities at large. I have just received a telegram from sixteen *Mahants* of Hardwar which runs as follows :—

"We in the name and on behalf of (1) Bara Akhara Udasian, (2) Raya Akhara Udasian, (3) Nirmali Akhara (4) Muni Mandal, (5) Gurdwara Third Badshahi (6) Guru-Mandal, (7) Gurmat Pracha in Sangat, (8) Mashini Akhara, (9) Naranjani Akhara, (10) Juna Akhara, (11) Monalgi, with, (12) Ardhat Mandal, (13) Narakat Mandal, (14) Narakar Mandal, (15) Garibdas, (16) Charandasi Sangat and others enter our emphatic protest against introduction and passage of Sikh *Gurdwaras* and Shrines Bill in Punjab Legislative Council. We are not against any enquiry into foundation, constitution and management of our institutions, but we strongly oppose investigation by a body the majority of whose members will be interested parties. Term Sikh is too vague and liable to misinterpretation. Sikh at present connotes Hindus who are followers of Guru Nanak forming a vast majority as well as those who call themselves *Tatkhalsas* and Non-Hindus. *Tatkhalsas* are a separate and a distinct sect like Brahmos and Arya Samajists and

as such have no right to interfere in Hindu institutions. Interference by a non-Hindu sect into those affairs of our bodies which are Hindu contravenes the privilege of religious neutrality which is the bedrock on which British Government in India is based and slightest departure in favour of a Non-Hindu sect will raise grave issues consequences of which will be most deplorable, secondly, commission is empowered, to take temporary charge of disputed *gurdwaras* and shrines. This is bound to encourage disputes and embolden frivolous people to raise quarrels to satisfy personal grudge; further, it will entail untold trouble on present incumbents and interfere in due discharge of our religious obligations, common law being quite sufficient for redress of reasonable grievances. We are compelled to utter solemn warning against precipitate action on the part of Government at the bidding of Blatant Heretics. Any yielding on part of Government to threats of violence will shake the faith of trusting millions in the integrity of solemn pledges repeatedly given by British sovereigns and cause an upheaval throughout the country. Address for reply Mahant Bishandas Bara.

Akhara Udasian Kankhal, Mahant Bishandas, Mahant Nihaldas, Mahant Lal Singh, Pandit Kishavanand, Mahant Badhu Singh, Swami Atmaswa Roop, Swami Arvendant, Mahant Mangal Puri, Mahant Tulsī Puri, Mahant Prem Giri, Swami Shirdyal Gir, Mahant Swaroop Das, Sant Bagg Singh, Mahant Gopal Das, Mahant Yuktanana, Mahant Vishuddhanand."

Syed Muhammad Husain.—Sir, I rise to a point of order. Are we to discuss the merits of the Bill or only the motion that the Bill is to go to a Select Committee. The hon'ble member has begun to discuss the merits and demerits of the Bill.

The Hon'ble the President.—Standing Order No. 40 provides that—

"On the day on which any such motion is made or on any subsequent day to which the

discussion thereof is postponed, the principle of the Bill and its general provisions may be discussed, but the details of the Bill must not be discussed further than is necessary to explain its principle."

Rai Bahadur Lala Sewak Ram is in order.

**Rai Bahadur Lala Sewak Ram (continued)**  
—Sir, I am not going into the details of the Bill to-day. It may take a very long time. Simply on the strength of my argument that the Bill be postponed for at least four or five weeks to elicit opinion I am quoting the telegram of sixteen various *Mahants* of Hardwar whose telegram distinctly shows that sufficient time should be given to them for the consideration of the Bill. I will not take the time of the Council by reading another paper which is a resolution of the Hindu Dharam Sabha, Lahore, protesting against the introduction of this Bill. Raja Sahib's proposal will also give them time to discuss and to thrash out all the various important points that concern this Bill and we will be able to put before this Council in a nutshell what is required and what is not required. I am not, Sir, going into the details of the various resolutions and various telegrams that I have received from various Dharmshalas, etc. I have referred to them only to support the proposal of Raja Sahib that time may be given for consideration and eliciting public opinion on this Bill. I strongly support the proposal put forward by Raja Sahib.

**Sardar Bahadur Sardar Mehtab Singh**

(Urdu).—Sir, the Hon'ble 12-50 P.M. the Education Minister has said in his speech that when he gave notice of moving the resolution regarding the management of *gurdwaras* the Sikh members instead of welcoming the proposal treated it with indifference, and thus they failed to do their duty as the representatives of the Sikh community. The Hon'ble Minister is perfectly justified in saying that the Sikh members did not support his motion, but

he should bear in mind the fact that if they did not support him they did not oppose him too. The fact is that the Sikh community is still lamenting the deaths of those brave people who died for the sake of their religion and did not raise even their fingers to protect themselves. The Government had also commenced arresting Sikhs, and it was in the midst of these arrests and prosecutions that the Education Minister gave notice of the motion regarding the management of *gurdwaras* by means of an ordinance. In such a critical time we (the Sikhs) knew nothing about the intentions of the Government; we could not say as to how long our community will continue to be the object of repression, and as to what would be the result of this policy of repression. It was for these reasons that the Sikh members neither supported nor opposed the motion moved by the Hon'ble the Minister for Education. Besides this, it is a mistake to govern or let others govern by means of ordinances. Hence the charge of the Hon'ble Minister that the Sikh members failed to do their duty falls to the ground.

The Hon'ble Minister has further said that black sheep are to be found in every community, and that all the *mahants* cannot be bad characters. Theoretically it is quite correct, but practically it amounts to nothing. The *mahants* are a class of parasites. They have become infected with the poison, which in accordance with a saying of our Guru, is contained in the income derived from the alms of the worshippers, and this poison has made devil of a man. What the tyrant *mahant* of Nankana Sahib has done is unparalleled in the history of mankind. At all events Narain Das has set an example which has for a long time to come, made the people suspicious of the whole class of *mahants*, and unless this class produces a man of saintly character, this prejudice against the whole class will continue. Just as the Muhammadans and the Christians wish to keep intact the sanctity of their holy places, similarly we (the Sikhs) have made up our minds not to let the *mahants* make our *Gurdwaras* resorts of gamblers, wine-bibbers and bad



characters. If the Government is honestly prepared to help us in this matter, we have no objection to receiving this aid, but we are not prepared to admit that Sadhus belonging to the Nirmla or Udasi sects possess the right of interfering in our religious affairs and of wounding our religious susceptibilities.

Sir, I have been given to understand that several Nirmla and Udasi Sadhus belonging to the United Provinces recently sent a memorial to His Excellency the Governor of the Punjab, praying him to make arrangements for safeguarding their rights. Also, hundreds of telegrams have been and are being sent to Government with a view to prejudice it against us. We can also send hundreds of memorials and hundreds of thousands of telegrams regarding our grievance to Government, but in the existing circumstances we regard this form of agitation useless.

People who believe in *Guru Granth Sahib* and in the ten Gurus are Sikhs. Hence it is wrong and improper to say that the different sects of the Sikhs should follow their own creed and customs. Raja Narendra Nath's contention that if such an Act is passed it is likely to interfere with individual and religious liberty is unfounded, inasmuch as the principal tenets of all the different sects are similar. Raja Sahib has also taken exception to the words 'the Commissioners should take into consideration the various measures for the furtherance and maintenance of Sikh religion.' He regards these words as tantamount to an uncalled for interference with religious liberty, which is in direct contravention of the policy of Government. Sir, the income of Sikh *gurdwaras* can only be spent for the advancement of the Sikh religion and not for the advancement of Hinduism, Christianity or Muhammadanism. In these circumstances, the retention of these words in the Bill is not only proper but absolutely essential. I request the Hindu and Muhammadan members not to believe in the rumours set afloat by interested persons. We do not intend to take possession of any

*thakardwara*, or temple. We do not lay claim to the private property of any person simply because the *Granth Sahib* is kept there. We claim only those historical places, which are regarded sacred by all the Sikhs, and which are the common property of the whole of the Sikh community.

We, ourselves were not in favour of forcibly ousting the *mahants* from *Gurdwaras* but when the *mahants* began to show their opposition to the movement of reform, the sympathies of the Sikh community were alienated from them and transferred to the Akalis, and the tragedy at Nankana Sahib has turned the whole Sikh community into Akalis.

It is regrettable that attempts are being made to put obstacles in the way of the passing of the Bill. Raja Sahib has proposed that the Bill be postponed till the 15th of May. The Sikh community is passing through a critical stage. Hundreds of Sikhs have been cruelly murdered, and a very large number of them is rotting in jails. In these circumstances, is it becoming to postpone the Bill? We want to know once for all if the Government is going to pass an Act in accordance with our wishes. We want to know if the Hindus and the Muhammadans would like us to remain in this country or not. If they want us to be on friendly terms with them and if they are anxious for our friendship, they ought to help us in this matter. If the Government wishes to pass an Act to meet the emergency it ought to be given an opportunity for doing so. We are opposed to the Bill in its existing form, and if certain amendments which meet the needs of our community are not accepted we will not support the Bill. It is, however, absolutely necessary to immediately refer the Bill to a Select Committee. As far as I can see Hindu members of this Council are not very favourably disposed towards this Bill. Raja Narendra Nath thinks that Sikhs are Hindus. Even if it were true, the Sikhs have obtained the rights of separate communal representation. This Council, however, is not the fittest place for discussing this unpleasant topic. In

[Sardar Bahadur Sardar Mehtab Singh.]

the end, I would say that the whole of the Sikh community is on one side and a few *mahants* with their selfish friends are on the other side. This Council ought to pay some regard to the wishes and feelings of a whole community, and should, therefore, at once decide to refer the Bill to a Select Committee.

Rai Bahadur Lala Hari Chand, who spoke in Urdu, supported the amendment moved by Diwan Bahadur Raja Narendra Nath. His reasons were that some of the members had not come and several others had not even received copies of the Bill. He himself had received a copy of the Bill only two days before the meeting of the Council and he had thus not been given sufficient time to think over the Bill. As there were many sects amongst the Sikhs it was necessary that members should be given an opportunity of consulting their Sikh brethren, and on these grounds he prayed that the Bill be circulated for eliciting public opinion thereon and should come up before the Council on the 15th of May 1921.

Sardar Kartar Singh—Mr. President, I have read the Bill, reread it 1-15 P.M. and read it several times over, I have brooded over it and discussed it with a number of Sikhs of light and learning and known for their unbiased minds. With all this I have come to one and only one conclusion, *vis.*, that I cannot put implicit faith in the Bill. In order to make myself clear I give instances as to how the Bill will work. Suppose a certain man or men want the removal of a notorious *pujari* or *mahant*. In order to do this the Government will first declare the whole of the *gurdwara* as disputed, on which the Board of Commissioners will enter into possession and begin the elaborate enquiry into the history of the *gurdwara*, etc., as outlined in section 18 and arrange meanwhile the running of the *gurdwara* by paid agency. If the Board consists of five members inclusive of the President and the pay of each is

on an average Rs. 2,000 per mensem the *gurdwara* concerned will be burdened with a monthly charge of Rs. 10,000 in addition to the cost of management. If the enquiry takes a couple of months which is not at all a long period to wade through the requirements of the Bill the *gurdwara* will be penalised with a sum of Rs. 20,000. The notorious *pujari* or *mahant* may or may not be removed as a result of the enquiry but the enquiry itself will entail a fine of Rs. 20,000 which will keep the *gurdwara* in debt for a number of years to follow and though the attachment under this Bill will be removed another and severer attachment under the Civil Procedure will take its place with Government as the creditor. In this illustration I have taken the most common form in which relief will be sought, for the Akali *jatha* has so far done nothing but to remove the bad *pujaris*, allowing the good ones to continue and transferring the control to the Shrimoni Gurdwara Committee for the future. They have, in no case, been so far charged with greed, selfishness or any other personal motives. They are a set of selfless workers, a godly congregation (the literal translation of the words Akali *jatha*) who have set themselves to purge the *gurdwaras* of their vicious surroundings and remove the ill-famed *pujaris* and restore them to their pristine glory. They have taken short cut to these reforms while the Bill points to a long circuitous march to them, if at all. This will not satisfy the *Panth*. The Government must realise that it is being looked upon with mistrust. The *Panth* has lost all confidence in the Government's intentions in the direction of reform of *gurdwaras* by the action of its officers who have been in charge of some of the most important ones of them. The appointment of a *sarbarah* of the Amritsar Golden Temple was a prize given for some loyal services to Government and its continuance in the hands of a most unpopular Sardar was due to his meritorious recruitment services. Thus the Government has exploited these offices to its own ends and neve-

gared for the interests of the *gurdwaras*. Further steps on the part of Government in these directions should therefore be guarded. This Bill as it stands is calculated to check the present reforms movement and not to guide it. The proposed Commission is being taken as Punitive Police paralysed a hundred times over. I would rather let the Akali *jatha* work its way to reforms by non-violent means, penances and self-sacrifices than let loose this hull of a Bill to trample us all. The Bill as it stands is a strong engine with no brakes. If it is allowed to run it will smash all that comes in front of it and finally smash itself. The two brakes needed are (1) that the Government should pay for the expenses of the Commission as it is to be brought into existence to keep peace, order and tranquillity which according to Government are threatened by the proceedings of the present reforms party. Moreover the Sikh members of the Commission would not like to take their pay out of the funds contributed by *gurdwaras*, and (2) that the personnel of the Commission should be composed entirely of Sikhs out of whom three-fourths should be returned by elected Sikh members of the Legislative Council and one-fourth nominated by His Excellency the Governor-in-Council. The Commissioners returned by the Sikh members shall not be removable from office without the consent of majority of elected Sikh members.

I cannot imagine why a non-Sikh should be put on a Commission which is to deal with Sikh *gurdwaras* and shrines alone. It is as disagreeable to us as a Sikh or a Hindu would be to Muhammadans in a similar Commission appointed for Muhammadan shrines or mosques or a Muhammadan or a Sikh so appointed would be to Hindus to do a similar duty towards Hindu temples. Otherwise the Sikhs will think that the Government is unduly interfering in matters of religion. If the Commissioners were to be chosen and elected by the Sikh community then there might not be as strong an objection as regards interference with religious freedom. But if as proposed in the Bill all Commissioners as well as

the President are to be nominated and appointed by the Government the Sikhs will not have much faith in them even if the appointed Commissioners are all non-official Sikhs. If the object of the present Bill is to appoint a Board of Commissioners to enquire into customs and usages of the *gurdwaras* and to formulate schemes and to submit reports to the Local Government for the better management of *gurdwaras* and with a view to future legislation the selection and nomination of the Commissioners should be left to the Sikhs. If the Government wants real reform it should give the Sikh community the right to elect and nominate its own Commissioners. In that case the Sikhs would be morally and legally bound by the reports made by the Commissioners.

If the Government is prepared to provide the above two brakes, I would agree to the referring of the Bill to the Select Committee. It will not serve any useful purpose if it is circulated for eliciting public opinion. The present measure is an emergent measure. It is proposed to meet an emergency. If the Bill is circulated for eliciting public opinion it would take very long and the delay in passing the Bill would be very dangerous. The sooner it is done the better. I strongly oppose the motion of Raja Narendra Nath to have the Bill circulated.

Sayad Muhammad Hussain (Urdu) —

1-25 P.M.

Sir, before I proceed with my speech I think it necessary to thank the Hon'ble the Minister for Education for the great zeal, tact and ability with which he has prepared the Bill. In my opinion the Government is the best judge of whether the Bill should be passed immediately or not. No one can forget the disturbances of April 1919; the introduction of Martial Law and the barbarities practised by General Dyer and others of the same kidney. The Government ought to realize the significance of the ultimatum which is to expire on the 10th of April. The Sikhs can never tolerate the existing state of affairs. No time should be lost in the passing of the

[Sayad Muhammad Husain.]

Bill. The Sikhs want to manage their own affairs, they do not want any outsider to interfere with the management of their sacred places, just as the Muhammadans do not want any non-Muslim power to exercise sway over the Arabian Peninsula and their holy places. I would advise the Sikhs to prepare a list of the *gurdwaras* in dispute so as to set at rest any doubts which exist with regard to them. The Government should take prompt measures to bring to book the offenders, who were a party to the Nankana Sahib tragedy in order to appease the anger of the Sikhs. Raja Sahib has not perhaps quite grasped the meaning of the Bill. It concerns only the Sikh shrines and *gurdwaras* and it will not have any adverse effect on the places of worship belonging to other communities. In the interests of good Government and for the welfare of the Province in general and the Sikhs in particular I appeal to this Council to immediately refer the Bill to a Select Committee, and to pass it without the least delay.

The Council adjourned for lunch at 1-30 till 2-30 P. M.

The council re-assembled after lunch at 2-30. The Hon'ble the President in the chair.

The Hon'ble the President.—The motion before the Council is—

‘that the Bill be referred to a Select Committee.’

To this an amendment has been moved

‘that the Bill be circulated for the purpose of eliciting opinion thereon by the 15th May 1921.’

Sardar Bakhtawar Singh, who spoke in Urdu, said that there was not even a single Sikh, who did not want reform. All the Sikhs were anxious for the amicable settlement of disputes regarding the *gurdwaras*. The ideas of the Akali jatha were not political; they were inspired by religious zeal. They wanted to settle the business quickly. The speaker himself was a moderate and as such did not like certain things done by the Akali jatha. The Akali jatha had decided to resort to passive resistance if

the Bill was not passed by the 10th of April. It would, therefore, be dangerous to postpone the Bill. The Bill with all the necessary amendments and modifications ought to be passed by that date.

Rai Sahib Lala Thakar Dass (Urdu).—

Sir, from the speeches of both the Government and Sikh members it appears that they want to rush this Bill through the Council, and to get it passed at any cost. The Sikhs assert that, if the Bill is not passed by the 10th of April, they will resort to passive resistance. If this illegal demand of the Sikhs is conceded it will mean that the Government may come to be intimidated later on to do the same by Muhammadans or Hindus. Under the British rule such a thing has never happened up till now and if the Bill is really passed in a hurry, it will produce an impression amongst the masses that Government can be made to yield a point if a sufficient amount of intimidation is used.

Rai Sahib Risaldar Raja Singh (Urdu).—

Sir, I take strong exception to the allegations of Diwan Bahadur Raja Nendra Nath and Rai Bahadur Lala Sewak Ram that there are many sects amongst the Sikhs. At this time, when hundreds of Sikhs have become martyrs, and several hundred others have gone to prison; when the Sikhs tired of the misconduct of the *wahants* are sacrificing their lives, they are told to wait a little longer. Such a state of affairs is, I submit, unbearable, and if some satisfactory arrangement is not arrived at, the existing dispute between the Sikhs and the *mahants* is likely to lead to undesirable results. Any delay in the passing of this Bill will prove fatal to the interests of the Sikhs. At this time the house of the Sikhs has caught fire, and it behoves the neighbours to put down the fire rather than fan it into a flame. Any opposition to the passing of such an Act as this is will be construed by the Sikhs as an act of hostility. The Bill should at once be referred to a Select Committee, I hope that all members, whether Hindus or Muhammadans, will extend their hearty support to it.

**Mian Bell Ram (Urdu)**—Sir, I want to assure the Sikhs on behalf of the Hindu members that we regard the Sikhs as our brothers. We do not wish to rouse the indignation of the Sikhs against ourselves by any untoward action on our part. But Hindu members have come to this Council to represent the views of their constituents and they want to voice their feelings honestly and faithfully. Their object is to maintain peace and order in the country. Sir, it is a very difficult thing to define a *gurdwara*. It would have been very much better if a list of the *gurdwaras* in dispute had been given. Had that been done many doubts which now exist would be set at rest. Also I see no necessity to call upon the Select Committee to report at once. The Sikhs, who have made so many sacrifices, can very well wait for a few days more, and the Government can also do the same. If the Bill is hurried through the Council in indecent haste, it may lead to disastrous consequences and it is just possible that it may create trouble between the Sikhs and the Hindus.

**Sardar Randhir Singh (Urdu)**—Sir, I am at a loss to understand why the members have begun to discuss the provisions of the Bill. We have not assembled here to day to pass the Bill; our main object on the other hand is to decide whether this Bill should be referred to a Select Committee at once or should wait for a month and a half for the public opinion to express itself. It is indeed a wonder that such a Bill was not presented before the Council long ago, inasmuch as the passing of such a Bill would have avoided the heart-rending tragedy of Nankana Sahib. Even after the perpetration of such a crime, does it not seem necessary to pass an Act, which would render such crimes impossible in the future.

Sir, wise men have said that no time should be lost in doing a virtuous deed. Our most important duty is to pass from time to time such Acts as would render possible, the maintenance of peace and order in the country, and if the Government has introduced a Bill with this end

in view, there seems no reason why it should not be referred to a Select Committee. Such a committee is not empowered to pass the Bill into an Act. It will simply report on the Bill, and it will be for us to decide whether this Bill shall become an Act or not. Another point to which I wish to refer is that the word 'Akali' is not synonymous with the words 'non-co-operator' or 'agitator.' This sect which believes in one God is being villified because the Akalis want to purge the houses of God of bad characters, and opprobrium is being heaped upon the heads of these brave people, because in doing a virtuous act, *viz.*, the purging of the house of God of bad characters, they laid down their lives and did not even raise their fingers to protect themselves against the onslaught of their enemies.

I am unable to understand why some of the Hindu members have taken exception to this Bill. Perhaps they are under the impression that the Sikhs wish to reform or take possession of their temples. Let me assure them that the Sikhs contemplate no such thing, and that their only object is to reform their own *Gurdwaras*.

**Mr. Moti Lal, Kaistha**.—Mr. President and Hon'ble members of the House.

**The Hon'ble the President**—Please address the chair.

**Mr. Moti Lal, Kaistha**.—Mr. President, coming as I do from the Himalayan range, I beg to support Raja Narendra Nath and I oppose the Bill not *in extenso*, but I submit that time may be given till the 16th of May to understand the *pros and cons* of this Bill. I received the copy of the Bill on the 1st of this month at Dharmasala and how could I consult my constituency, the constituency with Pathankot on one side and Kulu (105 miles away) on the other. There are religious institutions spread to the length and breadth of the Kangra Valley and Mr. President, I submit that I simply want time to consult my constituency because many complicated

[Mr. Moti Lal, Kaistha.]

questions are involved in this Bill and this Bill is a big Bill for me and I cannot swallow this Bill. Therefore, I submit, Sir, that this Council may not take hasty action. What are the effects of hasty decisions? We still remember the Rowlatt Bill. But I am asked to-day to give my vote in favour of the Bill which has only got a circulation of three days. With these remarks, I ask this House that members of the House will ask for time in order that we may consult our constituencies and then put before the Council their views.

**The Hon'ble Khan Bahadur Mian Fazl-i-**

**Husain.**—Sir, the point that 2-58 P.M. is at present before this Council is, briefly put, should a Select Committee be appointed to-day to deliberate over the provisions of this Bill to-morrow and the day after submitting its report to the Council on the 8th of this month for discussion, for consideration, for acceptance or rejection as the case may be? The motion moved by the hon'ble member is to the effect that the Bill be not referred to the Select Committee, but the Bill be circulated for expression of opinion and that the Bill should come up for discussion on the 15th of May and then after discussion it may or may not be referred to the Select Committee. In other words this motion amounts to this: that till about the month of June this Council will not have either accepted or rejected the Bill. It will be kept pending till the month of June, may be about the middle of June. Well, Sir, all I can say is:—

*Ta taryak az arak awurda shawad  
Marguzida murda husad.*

Surely, Sir, it is not right to keep this Bill pending for such a long time. One of the reasons urged in support of this motion is that the Bill is only three days old. Why hurry and pass it before it is properly considered? The facts contained in the statement are not correct. I have only this morning said that as early as the 8th of February—more than two months ago—the idea of legislating

on the subject was prominently brought before the public by a Government *communiqué* and then a motion was put down for being moved in this Council on the 23rd of February to the effect that steps be taken to legislate on the subject forthwith. Then the third stage came when actually a debate was held in this Council, extended over several hours, wherein the *pros* and *cons* of the original idea of this Bill were discussed at considerable length. Is it right, Sir, to say that the public at large or the hon'ble members of this Council are not aware of the subject matter, the general provisions and the principle of this Bill? I contend, Sir, that this excuse that they have not consulted their constituents is an excuse which cannot hold water. Even if this Bill comes up on the 15th of May after it has been circulated for opinion the hon'ble member from Kangra will not have gone to the various *dharamsalas* and *gurdwaras* to find out the opinion of the *mahants* of those institutions. We know perfectly well that those people who are interested in this subject have taken the trouble to send wires and representations which are as many as this (showing with his hand a big file of telegrams). Scores of telegrams have been received day after day. And there is not a paper of note which has not expressed its opinion one way or the other—may be in support of the Bill, may be against the Bill, may be with the object of securing amendment of certain provisions of the Bill. So I deny, Sir, that there has been no time given to the members to consider the provisions of this Bill or the principles underlying it. As a matter of fact, the hon'ble member for Kangra admitted himself that as early as the first of this month the Bill was in his hand. It is very difficult for me to believe, knowing as I do that the hon'ble member has to his credit a very extensive practice, a practice extending over 30 years—

**Mr. Moti Lal, Kaistha.**—35 years—

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Yes, 35 years. That one week is not long enough to understand the



Bill. For him to say after 35 years of extensive practice that he finds it difficult to understand the 20 provisions of this very small Bill as compared with all the law of which he is such a distinguished repository is not at all fair and it can hardly be believed. Of course, his excuse was that his constituents had not yet grasped the essential principles of this Bill. I have not the slightest doubt, Sir, that the faith his constituents have reposed in the hon'ble member is enough to convince them that he is not doing anything wrong, and is doing his very best for them.

I have stated that I was inclined to give a longer period for consideration of this Bill in the Select Committee, that is to say, I was prepared that instead of two days the Select Committee may take a week to report and after another week the report might be considered by the Council. But I felt on further consideration, Sir, that most of the members whom I have suggested as members of the Select Committee have been thinking over the subject deeply and carefully for quite a long time, that within the two days that I have proposed for the deliberations of the Select Committee they will be ready to sacrifice every other work and their comfort in devoting themselves whole-heartedly to this measure which I expect will soon bring peace to the Province and comfort to those in trouble. And taking this view and also finding that all the Sikh members who have spoken on this motion have opposed the proposal of Raja Sahib I find that really . . . .

**Raj Bahadur Lala Hari Chand.**—I beg your pardon; not all the Sikh members. My friend on the right has yet to speak.

**The Hon'ble the President.**—Order, order.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—I said those Sikhs who have already spoken. I find that really no case has been made out for postponing the reference to the Select Committee and that the proposal of the hon'ble member representing the Hindu landholders has no support behind it.

One point more, Sir, with reference to this proposal and I have finished. That is this. If I were convinced that there are representations from Hardwar or Patna or Rawalpindi to come which have not already come to me, if there are persons interested in this question who have not yet expressed their opinion, I would be the last person, Sir, to press for a reference to the Select Committee to-day and for the deliberations of the Select Committee to extend over only two days. But there is, besides vague allegations of want of instructions from constituents, not a single word said which would show that really there are men or institutions interested in this matter who have not had their say. So far as Udis are concerned I am in a position to say that they are a constituted body. They have got their constitution which is 21 years old. They are a registered body which was registered in 1899. They have made their representations and the Select Committee will be able to take into consideration their point of view. We may agree with it, we may disagree with it, but the fact remains that we have had their opinion.

As a matter of fact why Sikh members are anxious that this matter be not delayed further is that there is a feeling of unrest prevailing throughout the Province. To suggest that it is on account of intimidation exercised by this theme of unrest that this Council is giving way to make this reference to the Select Committee forthwith, I submit, Sir, is not a fair insinuation at all. We are doing this because we think that it is right to do so, because we think that the excitement that prevails requires immediate attention and it is the duty of this Council to do what they feel the right thing to do in order to prevent trouble. It is on the ground of righteously dealing with the problem that I strongly oppose this proposal to delay the deliberations of the Select Committee and I trust that this Council will reject the proposal of Raja Sahib.

**The Hon'ble the President.**—It is now twenty past three; there are only 40

[The President.]

minutes left; I do not know whether the Council wishes to proceed further with the debate.

**Bawa Hardit Singh, Bedi (Urdn)** Sir, Sardar Mehtab Singh has said in his speech that the *gaddi* of Baba Sri Chand was occupied by Baba Gurditta Ji, the eldest son of Siri Gura Har Gobind, but he has not mentioned as to whether he was an Udasi. I should, therefore, like to tell you that he did assume the Udasi *mat*, and it was as an Udasi that he succeeded Baba Sri Chand. In the course of his preaching Baba Gurditta Ji made four *okhas*, viz., (i) Baba Almasi Sahib, (ii) Balohasna Sahib, (iii) Phool Sahib, and (iv) Goind Sahib, and all the Udasīs are the followers of these people.

Sardar Mehtab Singh has also said that there are no sects amongst the Sikhs, but this is incorrect, inasmuch as there are sects not only amongst the Saijdharis, but even amongst the Amritdhari Sikhs. For example, I would mention (1) Namdharis, who believe in the *Doh Dhari Gurus* as well as in the ten Gurus. (2) Naran-karis, who also believe in *Doh Dhari Gurus* and the ten Gurus. (3) The Nirmalas and (4) the Sanatanist Sikhs, who also believe in the *Doh Dhari Gurus* and the ten Gurus. (5) The Tat Khalsa, who do not believe in anything except the ten Gurus and the *Guru Granth Sahib*. The tenets of the first four sects are more or less similar to one another, but the tenets, customs and mode of worship of the Tat Khalsa are quite different from the four abovementioned sects. Had the Sikhs, as Sardar Sahib has said, been one single body, there would have been no necessity for the different sects with their distinctly different names.

**Malik Firoz Khan, Nun.**—I move, Sir—

‘That the question be now put.’

The motion—

‘That the question be now put.’

was put and carried.

**Diwan Bahadur Raja Narendra Nath.**—I do not think I need reply at length. I object to the principles of the Bill. I

think it is a Bill which ought not to have been brought forward in the shape in which it has been drafted, and my object in asking for a long time for discussion was to see how many persons and to what extent public opinion supported me in my view. The date on which the fate of this Bill is to be settled is so ominously near the 10th, which is the date from which begins the passive resistance of a certain party, that the Hon'ble Minister in insisting upon a speedy termination of the whole of the operations connected with the Bill is, I think, setting an example which is not worthy of being followed. It seems as though he is giving into an outcry which ought to be resisted rather than encouraged. I have nothing more to say.

**The Hon'ble Khan Bahadur Mian Fazl-i-**

**Husain.**—The one argument

3-25 P. M.

which the mover has chosen to advance with reference to all the criticisms which have been levelled against his proposal is that because the Bill is to be considered according to my motion on the 8th April, and because the 8th April is very very near the 10th April—which is the date according to him fixed by those who attended a certain meeting at Amritsar for non-co-operating unless they obtain a Bill dealing with what they consider their grievances relating to *gurdwaras*—he thinks that because the 8th is so very near the other date fixed by these people for the commencement of a certain course of action, therefore this Council should not consider this Bill on the 8th, as it would look as if this Council is giving way to the threat which is levelled by these people against this Council. Now, Sir, it should first of all be remembered that with reference to a subject like this—a transferred subject, a provincial subject—we are the Government; not only I myself, but we, the members of this Council. We have to decide whether this Bill should be passed or not; we have to decide whether it should be amended or not; and an appeal is made to our sense of self-respect by the mover. He says, “you are being threatened by

these people that they will non-co-operate. Are you going to submit to it?" Now, Sir, I for one am free to say that I do not approve of the old method of administration where an experienced administrator refuses to do a thing by a particular date, although it is right and proper for him to do it, simply because somebody says people will think it is done through fear. I say that if a thing is *right*, it should be done irrespective of the fact that some people have foolishly fixed a particular date for the settlement of their grievances. I say that if their grievances are right, there is no reason why they should not be remedied even before that particular date. Such false pride should not stand in the way of our doing what we otherwise feel is a right thing to do. Then, Sir, so far as I can see, the other points which I urged, for instance, that most of us are familiar with the subject and have been familiar with the subject for the past six weeks or more. The members of the Select Committee have been familiar with it for a long time and this Bill has been in our hands—in the hands of the members of this Council—for very nearly a week. As to these points, the mover, realizing their force, has thought fit not to touch them. There is therefore nothing for me to do but repeat that this motion, as it now transpires, is based on nothing else but a sense of false pride, and should be rejected.

**Mian Bell Ram.**—I wish to submit one point with your kind permission.

**The Hon'ble the President.**—You cannot advance any further arguments.

**Mian Bell Ram.**—It is not an argument, but only a suggestion that before the motion is put to the Council, will it not be proper for the Government to consider the personnel of the Select Committee.

**The Hon'ble the President.**—That is quite a separate matter which is not before us now. The motion before the Council is—

That the Bill be referred to a Select Committee.

To this motion an amendment has been moved—

That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th May, 1921.

I shall take a division on the amendment.

A division was taken on the amendment with the following result:—

For the amendment	13
Against the amendment	40
Majority against	27

The amendment was lost.

**The Hon'ble the President.**—The motion now is—

“That the Bill be referred to a Select Committee composed of—

The Hon'ble Sir John Maynard,  
The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.  
The Hon'ble Lala Harkishan Lal,  
Sardar Bahadur Sardar Mehtab Singh,  
Sardar Dasandha Singh,  
Bawa Hardit Singh, Bedi,  
Rai Sahib Sardar Harnam Singh,  
Mr. Ganpat Rai,  
Maulvi Muharram Ali, Chishtia.  
Mr. T. P. Ellis, and  
The Mover;

that the Select Committee be requested to send in its report by the 7th April, 1921, and that the same be presented to the Council on the 8th April, 1921.”

The motion falls into three portions which I shall put to the Council separately. The first is—

That the Bill be referred to a Select Committee.

The motion was carried.

The next portion is that the Committee be composed of the names I have already read out. If any member has any alteration to propose he can propose them.

**Mian Bell Ram.**—Sir, I beg to propose that the names of Raja Narendra Nath and Mr. Manohar Lal be added.

**Sardar Bakhtawar Singh.**—As at least three-fourths of the members of the Committee are to be Sikhs, and if, as suggested, the names of Raja Narendra Nath and Mr. Manohar Lal are accepted, there will be the need of more Sikh members. Accordingly, I beg to propose the names of Sardar Raghbir Singh and Sardar Kartar Singh.

**Mr. Ganpat Rai.**—As two Hindūs and two Sikhs have been added to the Committee, I propose that two Muhammadans should also be added and I suggest the names of Sayad Muhammad Husain and Raja Muhammad Akbar. I also propose, Sir, that two Christians be added, and the names I would suggest are those of Mr. Gibson and Mr. Joseph.

**Malik Firoz Khan.**—Sir, I beg to propose that only Raja Sahib be added to the Committee.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—I want very much to know whether the Council is prepared to decide the number of the Committee. Then it will be easier to decide on the personnel. Is it to consist of 11 members or 21 members or 15 or 13? A Select Committee, as a rule, consists of 7 members and sometimes 9. In view of the fact that this was the first Select Committee under the new régime I advisedly put up the number as high as I could, that is to say 11. If it is desired by this Council that the number be still higher, perhaps it would be an advantage. If the number is specified, then the members can be nominated. If the Council is prepared to accept the proposal, there will be an addition of 8 members. That will make the Select Committee to consist of 19 members and perhaps some hon'ble members might move that the whole Council should form the Committee to consider this Bill.

**Mr. Ganpat Rai.**—Sir, after hearing the statement, I withdraw my amendment.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—May I, Sir, suggest that there are now two members proposed by one

hon'ble member and two members proposed by another member. If they be so kind as to reduce their proposal by half, one by each, leaving the choice to the proposer, I would be prepared to raise the number of the Select Committee to 13.

**Mian Bell Ram.**—Sir, I reduce my number by half and I propose that Raja Narendra Nath be appointed. Mr. Manohar Lal can give advice outside.

**Sardar Bakhtawar Singh.**—I also reduce my number by half and suggest that Sardar Kartar Singh be added to the Committee.

**The Hon'ble the President.**—The motion is—

That Diwan Bahadur Raja Narendra Nath and Sardar Kartar Singh be added to the Select Committee

The motion was carried.

**The Hon'ble the President.**—The third portion of the motion is—

That the Committee be requested to send in its report by the 7th of April, 1921, and that the same be presented to the Council on the 8th April 1921.

**Mian Bell Ram.**—I beg to suggest that the time be extended by a few days at least. I would submit that the time may be extended to the 11th.

**Sardar Bakhtawar Singh.**—The members who come from outside will be put to inconvenience so I propose that the report be presented on the 9th.

**Rai Sahib Sardar Harnam Singh.**—Sir, the Select Committee will report on the 7th and the same will be presented on the 8th. We want that we may have at least two days to consider the Select Committee's report.

**The Hon'ble the President.**—Strictly speaking the proposed instruction to the Select Committee to send its report by the 7th is unnecessary. The operative instruction is that the report be presented on the 8th. After the presentation of the report the member in charge will have to move that the Bill be taken into consideration before anything further is done.

Should he move that the Bill be taken into consideration on the same day then members have the right to claim notice under the standing orders. Until the member in charge is in a position to say whether he is going to move for the consideration of the Bill on the same day as the report of the Select Committee is presented, or whether he is going to give the members time to consider the report, it is not of much use to discuss the situation.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—I have all along been having the consideration that our Sikh members want the Bill to be referred to the Select Committee at once and then they want the Bill to be considered in this Council as early as possible. It was with that object in view that I agreed to ask for two days running for the Select Committee, i.e., the 6th and 7th. When I mentioned that the report was to come in on the 7th my object was to get the report on that day so that it may be printed and placed in the hands of the members of the Council on the morning of the 8th. It was my intention then to request you, Sir, and the Council to let the Bill be considered and any amendment suggested, discussed and decided on the same day. It was my intention that unless any member of this Council so chose to raise points of order and urged that the discussion of the Bill be postponed for a week—as hon'ble members have the right to do so—and if a very large majority of this Council agree with me in taking the Bill into consideration on the 8th, I would request you to suspend the rules of business and allow the Bill to be taken into consideration. When the report of the Select Committee is presented and I have moved the motion that the Bill be taken into consideration then every member has the right to act in accordance with the standing orders and rules on the subject. This statement can neither prejudice the right of the members, nor can it in any way amount to the chair having given any opinion as to what would be the correct thing to do.

**The Hon'ble the President.**—Does any body wish to speak on the amendment moved by Mian Beli Ram?

**Sardar Bahadur Sardar Mahtab Singh,** who spoke in Urdu, agreed with the programme of business proposed by the Hon'ble the Minister for Education. In his opinion no time was to be lost inasmuch as the members had come from distant places with the express purpose of discussing the Bill.

**Mr. Ganpat Rai,** speaking in Urdu, said that since the Sikhs had carried their point by a majority of votes it did not matter if the Select Committee devoted two days to the Bill. This would, continued the speaker, satisfy the people who had sent wires and representations to the Hon'ble the Minister for Education praying him to expedite the Bill.

**Malik Firoz Khan.**—I think, Sir, that the demand that is being made by Mr. Ganpat Rai seems to be reasonable. The Bill is being referred to the Select Committee. We do not know in what way it will be amended by the Select Committee. The amended Bill will be in our hands on the morning of the 8th and we will be required to give our judgment on the same day. It is fair that the members be given at least two or three days to consider over the provisions of the Bill as altered and amended by the Select Committee. The demand is very reasonable and I would appeal to the Sikh members of the Council and especially to Sardar Mahtab Singh to agree to allow at least two days to the members. Otherwise we shall not be able to discuss the Bill properly.

**Chaudhri Muhammad Amin,** who spoke in Urdu, favoured the idea of giving the Select Committee two days, viz., the 6th and 7th of April, for discussing the Bill, so that it might be ready to be presented to the Council for final discussion on the 8th of April.

**Mr. Manohar Lal.**—May I draw your attention, Sir, to Standing Order No. 45 (1) (a)? According to this it is perfectly

[Mr. Manohar Lal.]

open to the members of the Council of object to the Hon'ble Minister for Education moving that the Bill be taken into consideration if a copy of the Select Committee report has not been made available for the use of the members for seven days. It will then be for the President to rule whether such objection shall prevail or not. It is not necessary for us to say whether the Bill should be taken into consideration on the 9th or 10th or any other day.

**The Hon'ble the President.**—Members are not familiar with the procedure. The procedure is that it is for the Council to decide now when the report shall be presented. This is entirely in the hands of the Council. And when the report of the Select Committee is presented if the Hon'ble Member in charge moves that the Bill be taken into consideration at an earlier date than seven days from the presentation of the report, it is open to any member to object. And if any member objects, his objection prevails unless the President suspends the standing order. I think if the Hon'ble Member in charge will give some indication that he will not press for the Bill to be passed within a few hours of the presentation of the report it will clear the point. Of course it rests with me to suspend the standing orders and I cannot give any indication at present what view I shall take of my duty if any question arises.

**The Hon'ble Khan Bahadur Mian Fazi-l-Husain.**—The decision of this matter can only be arrived at on the 8th. I will be the last person to press the Bill being taken into consideration on the 8th if during the passage of the Bill through the Select Committee it undergoes such changes that demand a careful consideration. There is every likelihood of the Bill undergoing changes and in that case I will not press that the Bill be taken into consideration the same day. But if on the other hand—and there is a possibility—there are no changes of any importance made, in that case, perhaps, after ascertaining the feeling of the vast

majority of the gentlemen of the Council, I may have to request you, Sir, that the rules of business be suspended and the Bill be passed on the same day, not otherwise.

**The Hon'ble the President.**—The motion before the Council is:

'That the Select Committee be requested to send in its report by the 7th of April 1921, and that the same be presented on the 8th of April 1921.'

To this an amendment has been moved:

'That the Select Committee be requested to send in its report on the 11th of April 1921.'

**Mian Bell Ram.**—Sir, I withdraw my amendment.

The amendment was by leave withdrawn.

**The Hon'ble the President.**—The motion now before the Council is:

'That the Select Committee be requested to send in its report by the 7th of April 1921 and that the same be presented on the 8th of April 1921.'

The motion was put and carried.

**The Hon'ble the President.**—The motion as now passed stands as follows:—

'That the Bill be referred to a Select Committee composed of—

**The Hon'ble Sir John Maynard.**

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**

**The Hon'ble Lala Harkishan Lal,**

**Sardar Bahadur Sardar Mehtab Singh,  
Sardar Dasaunda Singh,**

**Bawa Hardit Singh, Bedi,**

**Rai Sahib Sardar Harnam Singh,**

**Mr. Ganpat Rai,**

**Maulvi Muharram Ali, Chishti,**

**Mr. T. P. Ellis,**

**Diwan Bahadur Raja Narendra Nath,**

**Sardar Kartar Singh, and the Mover.**



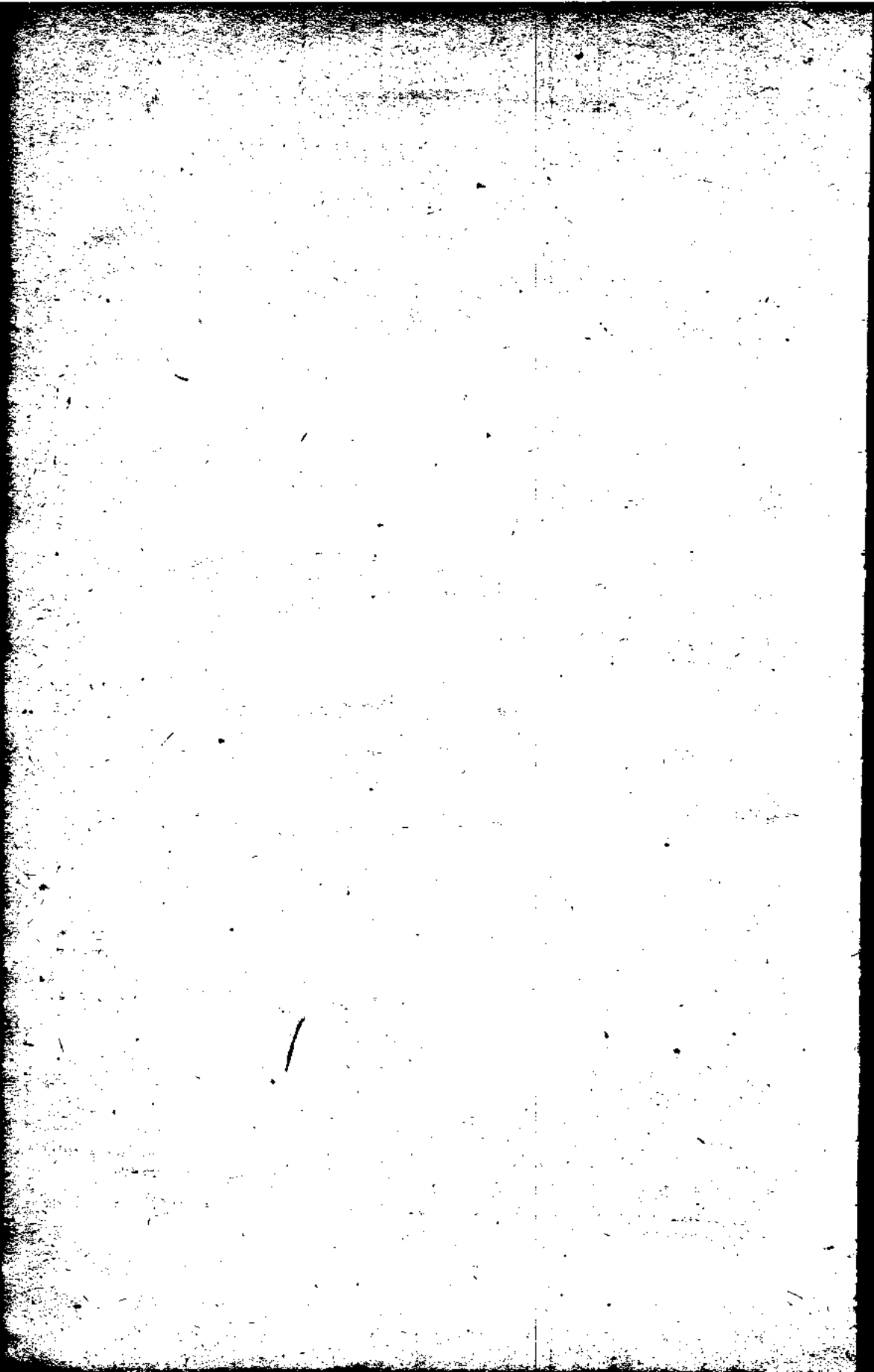
that the Select Committee be requested to send in its report by the 7th April 1921, and that the same be presented to the Council on the 8th April 1921.

I declare this motion carried.

I may mention that one of the members has already sent in amendments to the Bill. This is incorrect. Until the Bill

emerges from the Select Committee amendments should not be sent in to the Secretary's office. If any member wishes to press his point of view about the Bill before the report of the Select Committee is presented to the Council he should send his opinion to the Select Committee.

The Council then adjourned at 10.30 p.m. on Friday, the 8th of April 1921.



## PUNJAB LEGISLATIVE COUNCIL.

Friday, 8th April 1921.

The Council met at the Council Chamber at half-past ten of the clock. The Hon'ble the President in the Chair.

### QUESTIONS AND ANSWERS.

#### LADY DOCTORS IN VILLAGES.

398. **Baba Hara Singh.**—(1) Will Government be pleased to state whether they think it desirable that lady doctors and nurses should be provided in village dispensaries?

(2) If so, what steps do they propose to take and when?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(1) It is desirable that lady doctors and nurses be employed in village dispensaries.

(2) Despite efforts to secure them the number of non-Christian girls who take advantage of the tuition of the Punjab Medical School for Women at Ludhiana is very small, and until the women of province desire to adopt the medical profession Government sees no prospect of a rapid advance in this direction.

#### NUMBER OF STUDENTS IN PRIMARY SCHOOLS.

399. **Chaudhri Kharak Singh.**—Will the Government be pleased to state—

(a) how many students were reading in 1920 in the primary schools, excepting those connected with Secondary

or High Schools, in the 4th primary class;

(b) how many of those failed and how many promoted in 1920;

(c) how many of the latter joined the Secondary Department;

(d) how many of those in (a), (b) and (c) were Rajputs and how many Zamindars in general?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—The information is being obtained and will be laid on the table when ready.

#### LOWER MIDDLE SCHOOLS.

400. **Chaudhri Kharak Singh.**—(1) Will the Government be pleased (a) to ask district boards to start more Lower Middle Schools, with English as an optional language, at suitable centres, not removed from each other by more than three miles, or failing that (b) to restore the 5th class in all the remaining primary schools?

(2) If the answer to part (a) of the above question be in the affirmative, will the Government be pleased to give each district board a substantial grant to meet the increased charges?

NOTE.—Baba Hara Singh being absent the answer to question No. 398 was given by Government in the Public Interest.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(4) Under the new system of school courses introduced in April 1919, district boards are already authorised (a) to add 5th and 6th classes to their primary schools provided the staff in them is sufficiently strong and the accommodation, etc., adequate, and (b) to introduce English as an optional subject in them.

(44) They can earn grants from provincial revenues for the classes under the rules for grant-in-aid.

#### TRAINED TEACHERS.

**401. Chaudhri Kharak Singh.**—Is it a fact that the supply of trained teachers is not meeting the demand. If so, will the Government be pleased—

(a) to start at least one training class at the head-quarters of each civil division for J. A.-V. teachers, and

(b) to raise the number of admissions to the S. A.-V. and B. T. classes to double the present strength?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(a) Yes.

(b) Increased provision of training is under consideration.

(c) The changes made under (b) will increase the accommodation in the Central Training College for the S. A.-V. and B. T. classes.

#### SPREAD OF EDUCATION AMONGST ZAMINDARS.

**402. Chaudhri Kharak Singh.**—(4) What steps does the Government propose to adopt to spread education amongst Zamindars in general and Rajputs in particular?

(44) In particular will Government arrange for scholarships for Rajputs?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(4) The further expansion of education in rural areas is under consideration.

(44) Government has already provided a certain number of Zamindari scholarships, tenable in secondary schools for the encouragement of English education amongst the sons of Hindu and Sikh, Jat and Rajput agriculturists, vide Article 151 to 153 of the Punjab Education Code. Twenty-nine High School Zamindari scholarships, each of Rs. 6 per mensem, are payable from provincial revenues (Article 153).

#### AGR. CULTURIST STUDENTS.

**403. Chaudhri Kharak Singh.**—(4) Is it a fact that formerly all agriculturist students were exempt from payment of tuition fees in primary schools, but that recently a distinction has been made so as to exempt only those whose guardians till the land with their own hands.

(44) If the answer is in the affirmative, is not this distinction operating injuriously in putting a check on primary education amongst the Zamindars in general and Rajputs in particular?

(444) If so, will the Government be pleased to remove this distinction from the Educational Code.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(4) The answer is in the affirmative. The present rules came into force in 1911. The ground for the alteration of the former rule was that Zamindars who did not cultivate land themselves but through tenants could well pay the small fee charged.

(44) It is not considered that this restriction is in any way detrimental to the spread of education among Zamindars in general and Rajputs in particular.

The concession is given to all who are entitled to it, i.e., to all who cultivate with their own hands, to all agricultural labourers and to such Government employees as clearly belong to the agricultural class and, if they lived at their own homes, would certainly be cultivating in person.

The fees charged are one anna in the first class, two annas in the second class, three annas in the third class and four annas in the fourth class.

(44) It is not considered desirable to remove this distinction from the Education Code.

#### EDUCATION OF SOLDIERS' CHILDREN.

**404. Chaudhri Kharak Singh.**—Having regard to their orders about educating the children of those soldiers who died in the Great European War, will the Government be pleased to supply information as to—

(a) the number of such boys of school-going age in the Punjab, who are Rajputs;

(b) how many of them are receiving education (1) with Government aid, (2) without such aid;

(c) whether Government has given scholarships to any of them;

(d) if any scholarships have been given (1) who are the recipients of those scholarships, (2) what is the amount of the scholarship in each case and (3) in what school and in what classes are they studying?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—The detailed information required is not available but is being collected.

#### ZAMINDARS AND GOVERNMENT SERVICE.

**405. Chaudhri Kharak Singh.**—(4) Will Government be pleased to lay on the table a list of Zamindars and non-Zamindars enlisted in Government service subsequent to the issue of Government Circular Home Department, No. 4572-S., dated 3rd October 1919, giving the caste and also the sub-caste, if possible, of each Zamindar, so enlisted?

(44) If any such Zamindars have been enlisted what steps were taken to get it verified that the men were really Zamindars. If no steps have hitherto been taken, will the Government be pleased to get the same verified now?

**Mr. C. M. King.**—The material to answer the question is not readily available. The attention of the questioner is, however, invited to the statement which was placed on the table in reply to a similar question (No. 37) asked by Mian Ahmad Yar Khan on the 24th February 1921.\*

#### SANITATION.

**406. Chaudhri Kharak Singh.**—(4) Will the Government be pleased to state—

(a) what was the actual expenditure incurred in the year 1920-21 on sanitation for rural and urban areas respectively;

(b) what steps are being taken to improve village sanitation?

(44) Will Government also be pleased to consider the question of allotting some responsibility for sanitation to village Panchayats by creating a special organisation on representative lines?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(4) (a) The expenditure in 1920-21 on rural sanitation

was Rs. 10,809 on establishment, Rs. 19,194 on cleaning of wells, tanks, paving of streets, drainage, etc., Rs. 5,195 on combating influenza. The figures for expenditure on urban sanitation are being collected and will be sent to the Hon'ble Member when ready.

(b) A copy of a letter No. 100,\* dated 3rd January 1920, is laid on the table which shows the efforts being made to improve rural sanitation. Difficulty is experienced in procuring health officers. A chemist and a geologist have been engaged to study the possibilities of improving the drinking water supply in rural areas. A drainage board has also been created which is vested with functions in the matter of drainage of the country side similar to those vested in the Sanitary Board for urban areas.

(ii) A Panchayat Bill has been drafted and will be introduced at an early opportunity in this Council. It will be found that it is proposed to vest the village panchayats with certain sanitary powers.

#### LAND IN CANAL COLONIES.

407. Chaudhri Kharak Singh.—Will Government be pleased to supply information as to the total acreage of land in Canal Colonies given to persons of each of the following classes, specifying with regard to each class how much land was given to Rajputs and each of the other several agricultural tribes, respectively :—

- (a) horse-breeding tenants ;
- (b) in recognition of military services ;
- (c) men of good families, but reduced to straitened circumstances ;
- (d) persons whose ancestral lands had been washed away by river action ;
- (e) others ?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla.—Government have no information as to how much land of each class was given to Rajputs. The value of such information as regards allotments to this particular tribe, if extracted from the colony reports, would not be commensurate with the immense labour involved. Government therefore do not propose to order the statistics to be prepared. Information sufficient to answer heads (a) to (e) of the question is not available at headquarters. Enquiries have been made but replies are not yet complete. A statement containing the figures asked for will be laid on the table at an early date.

#### KACHA ROADS.

408. Chaudhri Kharak Singh.—(i) Is it a fact that the Mufassil Kacha roads in the Province generally, but in the Gurdaspur District particularly, are in a bad state of repair ?

(ii) If so, will the Government be pleased to make more substantial grants to district boards for the repair of these roads than has hitherto been done, and direct the local bodies to use such grants to carry out the repairs needed ?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—(i) It is a fact that the Kacha Roads of the province are generally in poor condition. Government has no special knowledge of the condition of those in Gurdaspur District.

(ii) Government will consider the possibility of carrying out the Hon'ble Member's suggestion.

#### BOAT BRIDGE ON THE RAVI.

409. Chaudhri Kharak Singh.—Is it a fact that a boat bridge is needed on the Ravi at Trimcoo, on the Gurdaspur-Shakargah road ?



**The Hon'ble Lala Harkishan Lal.**—The Gurdaspur Shakargah road is a district board road and maintained from funds placed at its disposal by Government for "development."

Government is not aware that a boat bridge over the Ravi at Trimoo is necessary. The matter will, however, be brought to the notice of the Commissioner, Lahore Division.

#### BRIDGE BOATS.

**410. Chaudhri Kharak Singh.**—Will the Government be pleased to hand over their bridge boats, with their equipment to the District Board of Gurdaspur.

**The Hon'ble Lala Harkishan Lal.**—It is regretted that Government has no bridge boats or equipment available for transfer to the Gurdaspur District Board. Last year when the Bridge of Boats over the Ravi at Kassowal was dismantled it was thought that the boats and equipment would be available for transfer to any local body which was most in need of it and Commissioners were addressed accordingly. It was subsequently ascertained, however, that they were required for the Bridge of Boats at Dera Ghazi Khan where they have been sent.

#### FIRE-ARMS LICENSES.

**411. Chaudhri Kharak Singh.**—(1) Is it a fact that in the Kangra District licenses for fire-arms are granted for the whole of British India, excluding the North-West Frontier and Burma whilst in the Gurdaspur District the same are granted for the district only?

(2) If so, will Government be pleased (a) to explain this differentiation and the reasons for the same; and

(b) to extend the principle to all other districts?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—(1) It is correct that in the Kangra District licenses for fire-arms are granted for the whole of British India, excluding Burma, Assam and the North-West Frontier Province, while in the Gurdaspur District ordinary zemindars and sahukars are granted district licenses; darbaris and officials liable to transfer are, however, granted provincial licenses.

(2) (a) The differentiation is due to a press communiqué, stating that licenses under the new rules would be valid throughout British India, which was issued on the 2nd December 1919 before Rule 29 (2) had been amended by notification No. 377, dated the 27th February 1920; (b) the issue of orders to secure uniformity among districts is under consideration, but the action taken in the districts named is at present within the discretion allowed by the Act to the licensing authority.

#### WELLS IN THE PROVINCE.

**412. Chaudhri Kharak Singh.**—Will Government be pleased to supply information as to the number of the wells in each district, used for —

- (a) drinking purposes only,
- (b) both drinking and irrigation,
- (c) irrigation of crops,
- (d) irrigation of gardens,

together with details regarding such wells showing—

- (a) the approximate depth of a water level below the ground surface;
- (b) the area of well-irrigated lands;

(c) the average area for the last three years of rabi and kharif crops, respectively, matured by such irrigation; and

(d) the rate and revenue actually realised in 1919-20 for such Chahi lands?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla.**—

(a) The information is not available.

(b), (c) & (d). Statement No. IV of the Season and Crop Report for 1919-20 shows the number of irrigation wells in use for each district. A copy is laid on the table.\*

No separate information is available as to the number of wells used for irrigation of gardens.

2. (a) The depth from the surface to water level varies from 2 or 3 feet in riverain tracts to about 60 feet in the case of irrigation wells.

(b) The latest figures available are for the year 1916-17, 4,823,854 acres. Details by districts will be found in the Land Revenue Administration Report for 1918-19, Statement No. 1, a copy is laid on the table.\*

(c) & (d) The information is not available.

#### ARMS ACT RULES.

**413. Baba Hardit Singh, Bedi.**—Will the Government kindly define the words "Great Sardars and Jagirdars" as mentioned by Sardar Bahadur Sardar Sundar Singh in reply to Sardar Randhir Singh's question No. 167?†

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithla.**—The term "Great Sardars and Jagirdars" as used

in the successive Arms Act rules has never definitely been defined. In compiling a list of names of Great Sardars and Jagirdars Government has been guided by the recommendations of District Officers and Commissioners in the matter and their recommendations have invariably been confined to members of old families of note in the Punjab mentioned in Lepel Griffin's and Massy's Punjab Chiefs. The last attempt to settle this difficult question is the declaration of the inclusion of the names of Provincial Darbaris whose names are mentioned in the precedence list of such Darbaris and maintained by Government. Besides the above certain other gentlemen have been included under this term and their names are included in Punjab Government notification No. 9836, dated the 30th March 1921, a copy of which is laid on the table.

#### GAZETTE NOTIFICATION.

*The 30th March 1921.*

**No. 9836.**—His Excellency the Governor of the Punjab in Council is pleased to direct that all Provincial Darbaris whose names are entered in the precedence list of such Darbaries maintained by Government shall be considered to be "Great Sardars and Jagirdars" of the Punjab for the purpose of Schedule I (6) (d), Arms Rules, 1920.

2. The following gentlemen, most of whom have been so treated in actual practice in the past, shall also be considered for their respective lifetimes to be in the same category, viz. :—

- |                             |           |
|-----------------------------|-----------|
| (1) S. Abdul Rahmian Khan   | } Hissar. |
| Effendi, of Rawalpindi,     |           |
| (2) Captain Stanley Skinner |           |
| (3) Mr. B. H. Skinner       | } Karnal. |
| (4) S. Mit Singh            |           |
| (5) S. Bhagwan Singh        |           |
| (6) S. Jowala Singh         |           |
| (7) K. Asad Ali Khan        |           |
| (8) K. Hassan Ali Khan      |           |
| (9) K. Kazim Ali Khan       |           |
| (10) S. Khazan Singh        |           |

\*Not printed.

†Volume I No. 5, page 214.

- |   |               |
|---|---------------|
| (11) S. Muhammad Nawaz Khan.              | } Attock.     |
| (12) S. Dost Muhammad Khan.               |               |
| (13) M. Muhammad Amir Khan.               |               |
| (14) Sardar Bahadur Bissalder Ishar Singh | } Gujranwala. |
| (15) S. Jhanda Singh, Chimni              |               |
| (16) The Guru of Kartarpur ...            | Jullundur.    |
| (17) S. Mohan Singh                       | } Rawalpindi. |
| (18) S. Gurdit Singh                      |               |
| (19) S. Jhanda Singh                      | } Lahore.     |
| (20) S. Fateh Singh                       |               |

414. **Baba Hardit Singh, Bedi.**—Are such Great Sardars and Jagirdars required to apply to the District Magistrate for exemption from the provisions of the Arms Act or not?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—It is not necessary for such Darbaris and these gentlemen to apply to the District Magistrate for exemption from the provisions of the Arms Act.

## THE SIKH GURDWARAS AND SHRINES BILL.

**The Hon'ble the President.**—The Council will now proceed to the consideration of the Sikh Gurdwaras and Shrines Bill.  
10-45 A.M.

**The Hon'ble Khan Bahadur Mian Fazli-Husain.**—Sir, It was on the 5th of April that this Council referred this Bill to the Select Committee. That Committee met yesterday and the day before yesterday, and after a very careful and lengthy discussion arrived at certain conclusions which have been duly printed and placed before the members. It will be noticed that the following changes have been made in the Bill as presented in the Council.

The first one is a verbal change—the addition of the word “Sikh” before “Gurdwaras” in the preamble.

**Clause 2.** There was a keenly-felt want of the definitions of terms “Gurdwaras” and “Shrines,” and a very general demand was made in the representations which reached me asking for the definition of these two terms. These two definitions have now been supplied.

In the third clause again it was suggested that certain alterations be made with the object of securing some sort of inquiry by the Local Government before a declaration is made as to a *gurdwara* being disputed or not. The Select Committee added the words “on enquiry” after the word “where” in the first line. Then certain phrases have been cut out. It was felt that they were hardly necessary and that the object of this clause will not in any way be frustrated if they were omitted, and at the same time their omission would serve the useful purpose of assuring the public that there was no intention on the part of Government to interfere with the religious or charitable duty, ceremony or observance.

In the 4th clause, with the object of making it obligatory for the Government to appoint a Board of Commissioners as soon as a *gurdwara* has been declared to be disputed, “shall” has been substituted for “may.”

Clause 5th is the one which has undergone a radical change and this change was the result of a great deal of discussion and eventually was settled more or less by way of a compromise. In the new clause 5, the membership on the Board of Commissioners is fixed at 4 and it is laid down that on this Board an impartial official and representatives of both sides of the dispute will be present. As to filling of vacancies the provision remains as it was before. The President of the Board has the casting vote.

[ K. B. Mian Fazl-i-Husain. ]

On clauses 6, 9, 10 and 16 there was a great deal of dispute and eventually it was decided that the period during which the Bill will remain in operation, the maximum period, that is to say, be reduced from 3 years to 2. Therefore this change was effected in clause 6 of the Bill.

Clause 9 (2) has been modified and the pay of the official member of the Board has been left to be paid from provincial revenues.

In clause 14 a slight change has been made that the accounts be published in such manner as may be prescribed.

In clause 16 there has been a change improving the language of the section, otherwise there is no change in the substance of that section.

In clause 18, at the suggestion of certain Sikh institutions, the word "Granthis" has been added after the word "mahants."

In clause 20 a consequential change, that is, a change due to another change, has been effected. This, it will be noted that there is but one real change and that is as to the constitution and the improvement of the Board.

It will be noticed that there are certain Minutes of Dissent appended to the report of the Select Committee. In the first Minute of Dissent, the third point is really the one which can come up for consideration if an amendment to that effect is moved, but points 1 and 2 raise points of principle, and if persisted in may create a situation with which this Council will have to deal very carefully. As to the first point, it will serve no useful purpose if it were not emphatically stated that this Bill is not a Bill which is intended to cause forfeiture of the rights of any individual or any institution. This Bill is essentially a Bill calculated to make an investigation into the administration and management of certain

Sikh *gurdwaras* and there is no intention to depart from the principle on which the Bill has been based. As to the second point, it is clear that the Sikh member of the Board to be nominated by Government was intended to represent the persons in possession, whose rights, or such rights as they claim, have been challenged. As to the other two Minutes of Dissent, they raise, no doubt, very important points to which this Council will, no doubt, give careful consideration.

With these remarks, Sir, I beg to present the report of the Select Committee.

**The Hon'ble the President.**—Members will find copies of the report and of the Minutes of Dissent in their places. They will also find a copy of the report in Urdu. The Minutes of Dissent were received about midnight and have not yet been translated. Every endeavour is being made to translate them and to issue them to-day. I will now call upon the Interpreter to interpret the Minutes of Dissent.

(The Interpreter interpreted the Minutes of Dissent.)

**The Hon'ble the President.**—The report of the Select Committee having been presented I now call upon the Hon'ble Minister for Education to move his further motion.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Sir, the motion of which I gave notice reads as follows:—

"That the Bill as reported by the Select Committee be taken into consideration at once."

This motion was handed in at a time when I had not the advantage of having looked at the Minutes of Dissent. In view of these Minutes of Dissent I beg leave to amend that motion in such a way that it may run as follows:—

"That the Bill as reported by the Select Committee be taken into consideration on the 16th April 1921."

I am making this alteration because the points raised in the Minutes of Dissent are of considerable importance and necessitate the usual course of procedure as laid down in the standing orders to be followed, and I do not feel justified in requesting you, Sir, to suspend the operation of the standing orders. I wish that the ordinary procedure should be followed with respect to this Bill.

**The Hon'ble the President.**—The motion before the Council is—

"That the Bill as reported by the Select Committee be taken into consideration on Saturday the 16th of April."

Does any member wish to speak to that motion?

(No member stood up to speak).

**The Hon'ble the President.**—As no member wishes to speak I will put the motion to the Council.

The motion was put to the Council and carried.

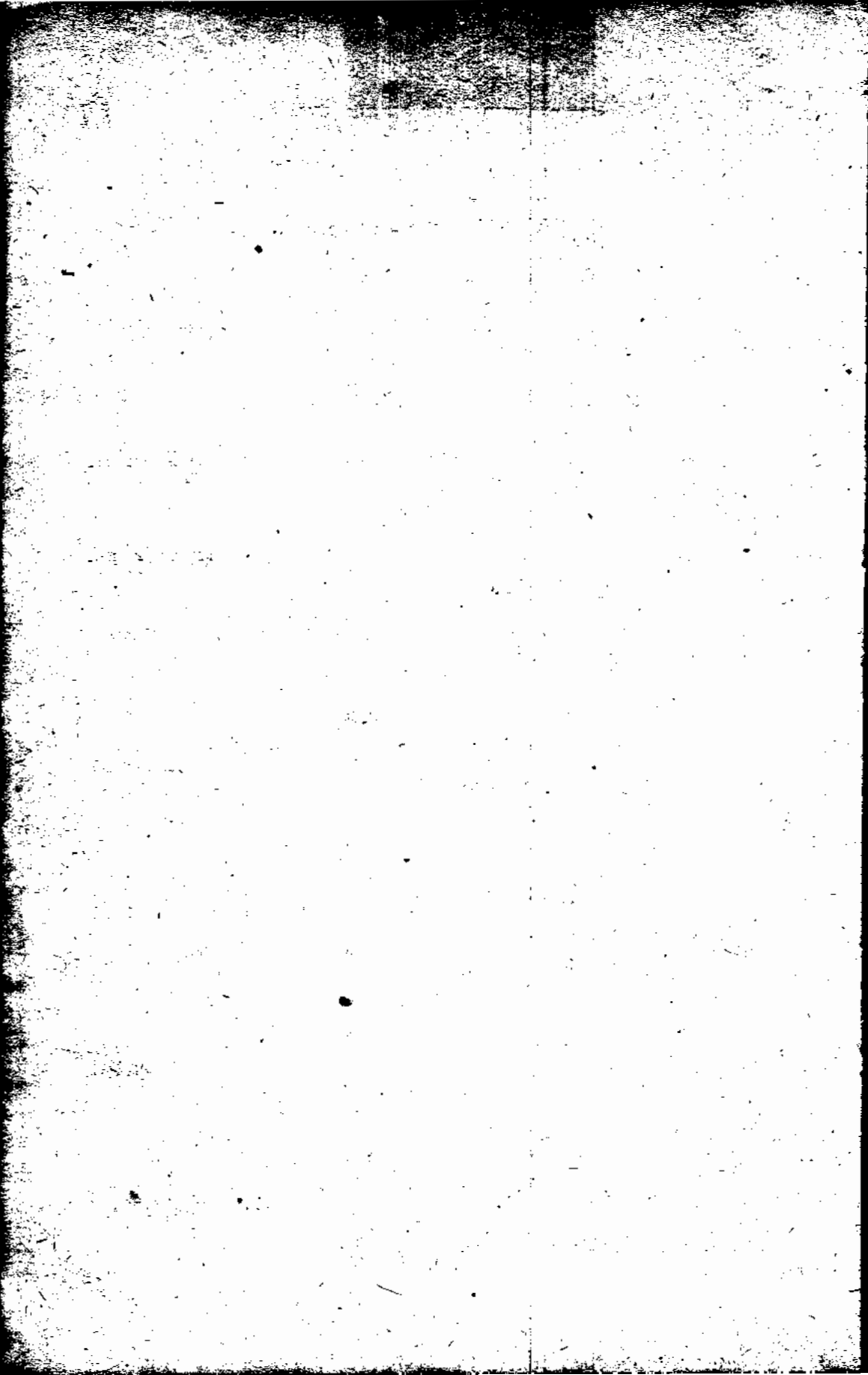
**The Hon'ble the President.**—I draw the attention of members to Standing

Order 47 which prescribes that any amendment which it is desired to propose must be put in at least two clear days before the day on which the Bill is to be considered. Will members who have amendment to propose please give due notice. I also suggest that members who are not skilled draftsmen should take such legal advice as they think necessary so as to get their amendments into a form suitable for inclusion in the Bill.

**Mr. Ganpat Rai.**—May I ask, Sir, from whom we can take legal advice? Will the Council grant the necessary fees for legal advice obtained by the members?

**The Hon'ble the President.**—It is for every member who proposes an amendment to draft it properly. It is for the advantage of any one who moves an amendment that it should be properly worded. The Council will be dealing with a Bill, not merely with a resolution.

The Council adjourned till 10-30 A.M., on Saturday, the 16th April 1921.





### **Erratum Slip.**

Page 569, Punjab Legislative Council Debates, Volume I, No. 10, after the answer to question No. 416 insert the following :—

“ 417. **Khan Muhammad Abdullah Khan.**—Will the Government be pleased to lay on the table a statement showing the name, parentage, caste designation, etc. of officials of all grades in the Canal Department of the Muzaffargarh District ?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The information asked for is being collected and will be sent to the honourable member when ready.”

## PUNJAB LEGISLATIVE COUNCIL.

*Saturday, 16th April 1921.*

The Council met at the Council Chamber at half-past ten of the clock. The Hon'ble the President in the chair.

### QUESTIONS AND ANSWERS.

#### TOURING OFFICERS.

415. **Khan Muhammad Abdullah Khan.**—(a) Will the Government be pleased to state whether it is a fact that contractors appointed for providing supplies to touring officers will not be required to supply those officers whose camp consists of less than ten persons?

(b) If the reply is in the affirmative, how does the Government propose to deal with the matter of supplies for the camps of Tahsildars, Naib-Tahsildars and Revenue Assistants.

(c) If the above-mentioned officers are not brought under the operation of the scheme, will not the contractors have to be responsible for the supplies only of such officers as go on tour seldom?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—(a) Yes.

(b) For the present the existing arrangements will remain in force. The extension of the system of contractors in the case of officers mentioned in part (b) of the question depends upon the success of the experiment in case of camps consisting of persons larger in number than ten and also on the state of provincial finance.

(c) Under the orders issued, contractors will be responsible for supplies to Deputy Commissioners, Commissioners and other officers of similar standing who are constantly on tour during the winter at any rate.

**Chandhri Kharak Singh.**—Will not the post of a contractor be a sinecure post?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—I do not think it will be a sinecure post. It is only being tried as an experiment.

#### CANAL BUNGALOWS.

416. **Khan Muhammad Abdullah Khan.**—Will the Government be pleased to state with regard to fruit gardens attached to canal bungalows in the Punjab?

(a) Is this produce put to auction?

(b) If so, under what head of the budget is such income shown?

(c) If not, what is the reason?

(d) What does the Government intend for the future as regards the sale of the fruits or vegetables of such gardens?

(e) In particular will Government lay on the table a statement showing the names of the fruit and vegetable gardens attached to canal bungalows in the Muzaffargarh district and the selling price of their produce for the last 4 years?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The information asked for is not readily available and is being collected.

#### OFFICIALS IN DIRECTOR OF PUBLIC INSPECTION'S OFFICE.

418. **Khan Muhammad Abdulla Khan.**—Will the Government be pleased to lay

**NOTE.**—Khan Muhammad Abdullah Khan was not present. With the permission of the Hon'ble the President, Sayaj Muhammad Husain put questions Nos. 415 to 425.

on the table a statement showing the names, parentage, caste, designation, pay etc., of officials in the Director of Public Instruction Punjab's office.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—The statement asked for is laid on the table.

*Statement showing names, parentage, caste, designation, pay of officials in the office of Director of Public Instruction, Punjab.*

Serial No.	Name of official.	Parentage.	Caste (Race, religion, caste, etc.)	Designation.	Pay or grade.	Remarks.
1	Mr. W. E. McMurtry	Mr. Patrick McMurtry	European (Protestant).	Superintendent, Director of Public Instruction's Office.	300-10-400, Plus Temporary allowance.	
2	L. Dina Nath	L. Gedha Ram	Arora Hindu	Head Assistant	250-10-350.	
3	Mr. P. C. David	Mr. B. C. David	Anglo-Indian (Protestant)	Do.	250-10-350.	
4	Mr. J. Arratoon	Mr. Martin Arratoon	Armenian	Do.	250-10-350.	
5	Pt. Sita Ram	P. Girdhari Lal	Brahman Hindu	Do.	250-10-350.	
6	Mr. B. C. Ghose	Mr. N. C. Ghose	Christian Indian	Assistant	100-8-150/10-250.	
7	L. Tara Chand	L. Sain Ditta Mal	Khatris Hindu	Do.	100-8-150/10-250.	
8	M. Muhammad Aslam	Mitza Anwar Ali	Arab Muhammadan	Do.	100-8-150/10-250.	
9	L. Indar Khan	L. Devi Das	Khatris Hindu	Do.	100-8-150/10-250.	
10	M. Ghulam Jilani Khan.	M. Chitrachand-Din Khan.	Rajput Muhammadan	Do.	100-8-150/10-250.	
11	Sh. Zahur-ud-din	Sh. Aziz-ud-Din	Sheikh Muhammadan	Do.	100-8-150/10-250.	
12	M. Ghulam Muhammad.	M. Abder Rahman.	Kashmiri Muhammadan.	Do.	100-8-150/10-250.	
13	P. Kesho Ram	P. Kedar Nath	Brahman Hindu	Do.	100-8-150/10-250.	
14	M. Ejaz Hussain	M. Ghulam Mustafa	Muhammadan	Assistant steno typist.	100-8-150/10-250.	
15	Mrs. J. Rogers	Mr. John Hammond	English Protestant	Assistant (typist)	75-5-100/5-150.	
16	Kh. Majid-ud-din	Kh. Hamid-ud-din	Sheikh Muhammadan	Assistant	75-5-100/5-150.	
17	B. J. N. Mukherji	B. S. N. Mukherji	Brahman Hindu	Do.	75-5-100/5-150.	
18	L. Nand Lal	L. Kausht Ram	Khatris Hindu	Do.	75-5-100/5-150.	
19	M. Munawar Khan	M. Boland Khan	Rajput-Bhatti Muhammadan.	Assistant (Typist)	75-5-100/5-150.	
20	M. Ata Ullah	M. Hidayat Ullah	Mughal Muhammadan	Assistant	75-5-100/5-150.	
21	M. Shabbir Ahmad	M. Bashir Ahmad	Sheikh Faruqi Muhammadan.	Assistant Stationery Clerk.	75-5-100/5-150.	
22	Miss K. Gabriel	Mr. H. O. Gabriel	Christian	Assistant (Typist)	75-5-100/5-150.	
23	M. Habib Ullah	M. Abdullah	Muhammadan	Assistant (Press Clerk).	40-3-82/3-100.	
24	B. Amar Singh	B. Kahan Singh	Sikh	Assistant	40-3-82/3-100.	
25	M. Muhammad Abder Rahman.	M. Ghulam Hussain	Greenish Muhammadan.	Do.	40-3-82/3-100.	

*Statement showing names, parentage, caste, designation, pay of officials in the office of Director of Public Instruction, Punjab—concluded.*

Serial No.	Name of official.	Parentage.	Caste (Race, religion, caste, etc.).	Designation.	Pay or grade.	Remarks.
26	W. Abdul Haq ...	M. Muhammad Yar	Quraishi Muham-	Assistant	40-3-82/3-100	
27	S. Ghulam Murtaza	S. Chiragh Shah	Sayyad Muhammadan	Do.	40-3-82/3-100	
28	M. Muhammad Rafiq.	M. Muhammad Said	Siddiqi Muhammadan	Do.	40-3-82/3-100	
29	B. Kesar Singh	B. Deva Singh	Sikh	Do.	40-3-82/3-100	
30	P. Lakshmi Narain	P. Ram Lal	Brahman Hindu	Do.	40-3-82/3-100	
31	M. Ghulam Qadir	M. Nadir Ali	Sial Muhammadan	Do.	40-3-82/3-100	
32	H. Allah Ditta	M. Nur Mahi	Kashmiri Butt Muhammadan.	Do.	40-3-82/3-100	
33	Sh. Nazar Muhammad.	Sh. Nanak Baksh	Sheikh Qanungo Muhammadan.	Do.	40-3-82/3-100	
34	L. Raghunath Rai	L. Harikishan Das	Arora Khatra	Do.	40-3-82/3-100	
35	Ch. Ghulam Qadir	M. Allah Ditta	Rajput-Bhatti Muhammadan.	Do.	40-3-82/3-100	
36	M. Hidayat Ullah	M. Muhammad Abdullah.	Rather Muhammadan	Do.	40-3-82/3-100	

*Notes.—Two posts in the Rs. 75-5-100/5-150 grade are vacant.*

#### PROVINCIAL CIVIL SERVANTS.

**419. Khan Muhammad Abdullah Khan.**  
—(a) Is it a fact that in all High Courts, other than the Punjab High Court, Provincial Civil Servants are given one or more seats as judges?

(b) If the answer to the above is in the affirmative, why is the Punjab High Court an exception?

**Mr. C. M. King.**—(a) The answer to the first part of the question is "no."

(b) The contingency contemplated in the second part does not occur.

#### HILL STATIONS

**420. Khan Muhammad Abdullah Khan.**  
—Is it a fact that districts having hill stations are ear-marked for European officers only?

(b) If so, have Indian Officers, such as High Judicial Officers and Civil Surgeons no chance to be appointed in such districts?

(c) If so, what is the reason?

(d) If not, will Government give the names of such Indian Officers as are appointed to such districts?

**The Hon'ble Sir John Maynard.**—Except as regards the Civil Surgeoncies of Murree and Dalhousie, there is no such limitation as is suggested by the questioner. Eight Deputy Commissionerships and 12 District and Sessions Judgeships have been held by Indian Officers since 1915 in districts having hill stations, and one Indian Officer is at present holding the appointment of District and Sessions Judge in a district having a hill station.

## DISTRICT INSPECTORS OF SCHOOLS.

421. Khan Muhammad Abdullah Khan.—(a) Is it a fact that since the post of District Inspector of Schools has been provincialised these officers are getting no travelling allowances when on tour?

(b) If so, why is a distinction made between them and Police and many other Civil Officers?

(c) What steps are being taken by the Department to regulate the travelling allowance of these officers?

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—(a) The District Inspectors of Schools are not precluded from drawing their fixed halting allowance, etc., at the old rate, the revision of the rates being under consideration which will have effect from the date these posts have been provincialised.

(b) and (c) They have been recommended for the grant of travelling allowance at the rates admissible to Extra Assistant Commissioners.

## VERNAICULAR EDUCATION.

422. Khan Muhammad Abdullah Khan.—Is it a fact that in educationally backward districts the programme for the expansion of vernacular education is being carried on with great zeal by the District Boards, but building accommodation is very insufficient?

(b) If so, what steps are being taken by the Government to help such District Boards as have but a limited source of income and cannot meet the growing demand for extension or erection of new buildings.

(c) Will the Government lay on the table a statement showing (1) number of schools in the Muzaffargarh District, (2) the schools which have their own buildings, and (3) the schools which are held in rented buildings, (4) the schools which have got no buildings.

The Hon'ble Khan Bahadur Mian Fazl-i-Husain.—The necessary information is being collected.

## LAND FOR WATER-COURSES.

423. Khan Muhammad Abdullah Khan.—(a) Is it a fact that land for water-courses in the Muzaffargarh District was taken by the Government without any compensation to the owners, and that, now that the water-courses have been closed by the running of the Taliri Canal, the land has been returned to the owners?

(b) If so, what compensation has the Government given to the owners for the lease of their land for such a long time?

(c) If none, what are the reasons and why the Government has appropriated the trees on such water-courses and put them to auction?

The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majitha.—The answer to this question is not ready. The question might be put again at some later date.

## EXCISE ESTABLISHMENT.

424. Khan Muhammad Abdullah Khan.—Will the Government please state what excise establishment is entertained (over and above the usual establishment already existing in each district) for the prevention and detection, etc., of illicit distillation of spirit and smuggling of opium and charas.

The Hon'ble Lala Harkishan Lal.—The following extra excise establishment is entertained (over and above the ordinary district staff existing in each district) for the prevention and detection of illicit distillation of spirit and smuggling of opium and charas. It is a temporary staff, and its sanction is renewed from year to year:—

- (1) 1 Extra Assistant Commissioner on special duty.
- (2) 2 Excise Inspectors.
- (3) 13 Excise Sub-Inspectors.
- (4) 1 Police Inspector.
- (5) 20 Peons.

425. Khan Muhammad Abdullah Khan.—Will the Government please lay on the table a statement showing the number of cases detected by this extra

establishment stationed at Lahore and also a statement showing what cases were detected by the District Excise Inspector during the same period.

**The Hon'ble Lala Harkishan Lal.**—No comparison of the cases detected by this extra staff is possible with those detected by the Excise Inspector of Lahore, as this extra staff, though its headquarters are at Lahore, is not intended to operate in the district of Lahore exclusively as appears to be supposed, but in the Province generally.

#### SIMLA MUNICIPAL COMMITTEE.

**426 Rai Sahib Lala Panna Lal.**—(a) Will the Government be pleased to state whether any members of the Simla Municipal Committee are elected?

(b) If the reply is in the negative, will the Government be pleased to state the reasons?

(c) Is it a fact that at a recent public meeting held at Simla the Government was urged to allow members to be elected to the committee? If so, will the Government be pleased to state what steps it intends to take in the matter?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—(a) The reply is in the negative.

(b) Prior to December 1890 the Municipal Committee, Simla, was wholly elected, but four nominated seats were then introduced on account of the apathy of voters and the non-representative character of members of the Bazar Ward. In 1904 nomination was substituted for election in respect to a fifth seat. The committee even when so modified proved unsatisfactory and unrepresentative. Finally in 1908 the Government in the public interest ruled that the Municipal Committee should consist solely of nominated members.

(c) A memorial in favour of an elective system has been received and is under the consideration of Government.

**NOTE.**—Rai Sahib Lala Panna Lal was absent. The answer to question No. 426 was given under Standing Order No. 19.

#### EMPLOYMENT OF TEACHERS.

**427. Rai Sahib Lala Panna Lal.**—(a) Will the Government be pleased to state under what conditions the Director of Public Instruction, Punjab, is justified in issuing a circular prohibiting the employment of a particular teacher in any recognised school within his jurisdiction?

(b) Will the Government be pleased to quote the rule on the subject?

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—The note to article 52 of the Punjab Education Code runs as follows:—

“The Government reserves to itself the right to forbid the employment in aided institutions of any teacher whose certificate has been withdrawn after due enquiry or who, after enquiry, has been considered by the Director unfit to be a teacher.”

**NOTE.**—Rai Sahib Lala Panna Lal was absent. The answer to question No. 427 was given under Standing Order No. 19.

**428.**—(This question was not put owing to the absence of Rai Sahib Lala Panna Lal.)

#### LANDS OWNED BY MISTAQANI MAZARI TRIBES.

**243. Sardar Allan Khan.**—Will Government please state if any lands owned by Mistaqani Mazari tribes, situated at mauzas Chak Lahad, Badli, Miranpur, Tahsil Rajanpur, Dera Ghazi Khan District, have continued to be watered by Nala Parana Qadara from the date of its opening in 1872 down to the year 1896?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—During the period 1872 to 1896, twenty-eight acres of land owned by Mistaqani Mazaris were irrigated by the old Qadara Canal in chak Lahad of village Badli in 1890-91. The irrigated area increased to seventy-three acres in 1892-93 and one hundred and forty-two acres in 1895-96. The other chaks of Badli and the lands of village Miranpur received no irrigation from the old Qadara Canal.

**NOTE.**—Questions Nos. 243—246 were repeated by Sardar Allan Khan.



**244. Sardar Allan Khan.**—When was the new Nala Qadra known as Bandi-i-tilai opened?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—In 1910.

**245. Sardar Allan Khan.**—Is it a fact that the lands of the Mistaqani tribe situated at the manzas named above are not allowed to be watered by the new Nala Bandi-i-tilai (Lower Qadra), while the lands to the north and south of these manzas are being irrigated by the Nala Bandi-i-tilai?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—The reply is in the affirmative.

**246. Sardar Allan Khan.**—If it is a fact, what is the reason for this state of affairs?

**The Hon'ble Sardar Bahadur Sardar Sundar Singh, Majithia.**—When the new Qadra project was proposed the Mazari and Drishak Chiefs raised strong objections to the scheme. It was finally settled by Government that the scheme should be proceeded with, but it was decided that the Chiefs should pay the land revenue and abiana in lump sums recovering from their tribesmen in kind. The only reason why the Mistaqanis do not receive water is that, being on hostile terms with the Chief's family, they refuse to comply with the conditions laid down by Government at the time of the construction of the canal.

#### PRELIMINARY REPORT OF THE STANDING ORDERS COM- MITTEE.

**Sardar Bahadur Sardar Mehtab Singh.**—Mr. President, the President, the Deputy President and seven members were appointed on the 2nd of March to report on the Standing Orders of the Punjab Legislative Council. The Committee has had two sittings and now furnish this their first report and will later on present another report. Intentionally the Committee have not suggested any alteration in the Standing Orders because this Council has not yet that ripe experience which is necessary for the making of orders. With your permission, Sir, I will read the report of the Select Committee :—

“We the Members of the Committee

appointed on the 2nd of March 1921 to examine and report for amendment, if necessary, the Standing Orders of the Legislative Council present a preliminary report as follows :—

1. We consider that Standing Order No. 3 (2) should be cancelled and the following words substituted :—

‘After the commencement of a session the Council shall sit on such days as the President, having regard to the state of business of the Council, may from time to time direct.’

“We consider that section 72-B (2) of the Government of India Act contemplates that the Governor will appoint the times and places for holding the sessions of the Legislative Council and that the Council will be prorogued also under the Governor's orders. We do not think it was the intention of the Act that the Governor should decide the times for meetings during the session. We think that to fix the times for meeting is the function of the President; and we note that such is the arrangement in the Council of State and the Legislative Assembly. Our draft of the new Standing Order No. 3 (2) is taken from the Standing Orders of the Council of State and the Legislative Assembly.

“2. We think that in Standing Order No. 7 (2) for the words ‘in accordance with the procedure... necessary or convenient’ the following words should be substituted :—‘to be held at such time and in such manner as the President may determine.’ Further, we propose the cancellation of Schedule I.

“We feel that Schedule I has been drawn to meet conditions which do not exist in this Legislative Council. As a matter of practice the procedure laid down has not been followed during the present session. The relative precedence of notices and resolutions given by non-official members has been determined in accordance with the procedure specially sanctioned by the President in virtue of the proviso to Standing Order No. 7. We think it will be better to leave the discretion to the President in this matter. He will then be able to issue an instruction to govern the case, and that instruction can be altered by him

from time to time in the light of experience to meet change in conditions.

"3. In Standing Order No. 19 we propose after the words 'is not put' to add the words 'either by the Member himself or, in his absence, by any other Member duly authorized by him.' We think that the practice by which, in the absence of members, any other member duly authorized by him has been allowed to put his question should be regularised.

"4. Standing Order No. 23 should be altered to run as follows:—

'The member asking for leave must not less than half an hour before the commencement of the sitting of the day hand to the President a written statement of the matter proposed to be discussed.'

"During the recent session it has been found inconvenient to allow members to hand notices of motion for the adjournment of the business of the Council to the Secretary at the last moment. Under this procedure the President does not obtain sufficient time to examine the notice to see whether it is in order or not. Following the procedure in vogue in certain other Provincial Councils, we suggest that half an hour's previous notice shall be given to the President himself.

"5. In Standing Order No. 24 we propose that 20 instead of 40 members shall be sufficient to secure the leave of the Council to move the adjournment. We note that in no other province are so many as 40 members required to secure leave. The largest number in any other province is 30, viz., in Bombay and Bengal. In Madras and Bihar and Orissa 20 Members are considered sufficient. In view of the smallness of the Punjab Council, we think that 20 is sufficient there.

"6. In Standing Order No. 35 at the end of sub-section (1) we propose that the following words be added: 'If this motion is carried, the President shall then put the question, after allowing the Mover and the Member of the Govern-

ment to whose department the matter relates, to speak in the manner laid down in Standing Order No. 33 (3).' We propose this amendment in order to regularise the procedure which has been followed during the current session.

"7. In Standing Order No. 53 we propose the number 2 instead of 40. In nearly every Council the same number of members is required to stand to secure leave to amend the Standing Orders as is required to secure leave to move the adjournment of the Council.

"8. We propose that Standing Order No. 73 shall be amended to run as follows:—

'Notice of a motion to omit or reduce any item in a grant or to reduce any grant shall be given two days before the day appointed for the discussion of such item or of such grant.'

"As the Standing Order now stands it is not in order to reject a grant unless notice has been given beforehand. We understand that it is the President's opinion that such an order is *ultra vires*. The Legislative Council has power under the Government of India Act to reject any grant demanded by Government, and in practice it has been allowed to vote on such grants during the recent session. The amendment which we propose will regularise the existing practice.

"9. It will be observed that we have made no suggestion for amending Standing Orders Nos. 38-54, all of which deal with Bills. We have thought it better to obtain more experience of the working of these sections before proposing any changes in them.

M. S. D. BUTLER.  
MEHTAB SINGH.  
FAZL-I-HUSAIN.  
KARTAR SINGH.  
E. JOSEPH.  
NARENDRA NATH.  
MUHAMMAD HUSAIN.  
ABDUL HAMID.  
MUHAMMAD SHAH NAWAZ.

LAHORE:

The 14th April 1921."

[S. B. Sardar Mehtab Singh.]

I formally present this report. The members would like that they should have time for the consideration of this report. Therefore I propose that some future date be fixed for the consideration of these orders, when after discussion, if necessary they can be passed.

### SIKH GURDWARAS AND SHRINES BILL.

Sardar Bahadur Sardar Mehtab Singh.—

The motion, of which  
10-55. I have given notice,  
reads as follows:—

"That the consideration of the Bill be postponed until the next session of the Council."

But with your permission, Mr. President, I will now put it in this form:—

"That the consideration of the Bill be postponed until the 2nd of May."

In bringing forward this motion, I have been actuated by various motives and considerations. To start with Sir, a very large number of amendments have been sent in as regards the Bill. There are some members who think that the Bill goes too far; there are others who say that it is a retrograde measure and does not go far enough. Under these circumstances, surely the members require that they should have some time for consideration. Besides, there are certain amendments overlapping each other, and if members are given time for consideration, a large number of amendments may be cut down. Besides that, Raja Narendra Nath in his note of dissent has clearly put forward that reform in religion is always a slow process, and that in favour of the reform there is a minority of the Sikhs, while against the reform there is a majority of the Sikhs. If that be the case, Sir, we should have the Commissioners elected by the Sikh community which include the Sahjdhari Akalis and various other caste. If that be the case, then he and his friends will have no objection that they should have further time for consideration. There are other things. One of them being that communal representation does not really facilitate matters of this kind.

Mr. E. Joseph—May I know, Sir, whether this motion is in order? Rule 45 (2) says:—

"If the Member in charge move that the Bill be taken into consideration, any Member may move as an amendment that the Bill be recommitted or recirculated for the purpose of obtaining further opinion thereon."

While rule 46 says:

"When a motion that a Bill be taken into consideration has been carried, any Member may propose an amendment to the Bill."

The Hon'ble the President.—The position is that at the last meeting of the Council a motion was carried that the Bill be taken into consideration on the 16th of May. I thought at the time it would have been more convenient if the Hon'ble the Minister for Education had not actually moved that the Bill be taken into consideration to-day, but had given notice instead that he would move on the 16th April that the Bill be taken into consideration. The only way in which Sardar Bahadur Mehtab Singh's motion can be regularized is by resorting to Standing Order No. 32 which permits the Council, with the permission of the President, to reconsider any decision it has made. I wish to hear what has to be said on this point before giving my ruling. If it is the obvious wish of the Council to discuss the present motion, then I shall give my permission. If not, I shall refuse it.

Sardar Bahadur Sardar Mehtab Singh—Sir, on account of communal representation the Musalman and the Hindu members of this Council are not in touch with even the Sikh electors who live in their own constituency. Besides, there are a number of false rumours which have been spread by interested parties, and naturally the members would like to find out how much truth there is in them. These are some of the circumstances to which I call your attention. If the Council cares to postpone the consideration of the Bill, there is the chance of a compromise being arrived at on some points. With these few words, Sir, I formally move;

'That the consideration of the Bill be postponed until the 2nd of May.'

**The Hon'ble the President.**—I should explain to the hon'ble member that he is not yet entitled to move his motion. At present he can only ask my permission under Standing Order No. 32 to raise a question substantially identical with one on which the Council has already given a decision in the current session. I wish to hear briefly the views of the various parties in the Council before I give or refuse my permission.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—Sir, the

11 A.M.  
Hon'ble Mover has sought permission from you to have the decision arrived at by this Council in its last meeting reviewed. As I said in my speech at the last meeting, it is the Government's wish that this Bill be passed at an early date. It is our wish that this measure be adopted in order to ease the situation. At the same time we have to remember that this Bill is a special Bill in the sense that it chiefly and directly affects the Sikhs—it affects Hindus and Muhammadans no doubt, but not to the same extent as it affects the Sikhs. In the circumstances, if I find that the Sikh members of this Council, either unanimously or by a large majority, feel that the postponement of the passing of this measure to the 2nd of May is likely to help them in arriving at a compromise, keeping in view the best interests of the community as well as of the Province, I will be absolutely unwilling to oppose the motion or the request for postponing the passing of this Bill. If, on the other hand, I find that . . .

**The Hon'ble the President.**—I do not want a speech. I merely want an indication of the attitude of Government as well as of the Council as to whether permission under Standing Order No. 32 should be granted or not. A discussion can only take place if I decide that the motion is to be put.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain (continued).**—Then, Sir, all that I have to say is that Government is willing to take the wish of the majority of the

Sikh members in this matter, and out of consideration for that Government would be willing to have the consideration of the Bill postponed to a later date.

**Diwan Bahadur Raja Narendra Nath.**—Sir, I do not know with what consistency and with what appearances my hon'ble friend Sardar Bahadur Mehtab Singh has put forward a motion exactly identical with the one which he vehemently opposed the other day when it was put forward by me.

**The Hon'ble the President.**—I do not want anything controversial. I wish only to know whether you are for an adjournment. If it is decided that the motion is to be put, a discussion can then take place.

**Diwan Bahadur Raja Narendra Nath (continued).**—I think that an adjournment to the 2nd of May is insufficient. The object of Sardar Bahadur Mehtab Singh is to bring about a compromise. He also wants to satisfy us by some means or other that the number of reformed Sikhs is in a majority. For that purpose I do not think that an adjournment till the 2nd of May is sufficient. I think Sardar Mehtab Singh may be allowed to stick to his original motion that the consideration be postponed till the next session. This Council has now been sitting for a sufficiently long time: some of the outsiders have come from mufassil stations and have been here since the 5th of April. I think they will be put to very great inconvenience if they go back to their homes now and again come back on the 2nd of May. I am not in favour of the motion as now put forward by Sardar Mehtab Singh, but would support the original motion that the consideration of the Bill be postponed until the next session.

**The Hon'ble the President.**—Do I understand, Baba Hardit Singh, that you wish to speak?

**Baba Hardit Singh.**—No, Sir.

**Malik Firoz Khan.**—The question of the *gurdwaras* Bill, Sir, has been causing very painful thoughts in the minds of the Muslim members of this House. The Bill

[Malik Peroo Khan.]

mainly concerns the Sikhs and Hindus, and it concerns us—the Muhammadans—only as a sister community. When we learnt that Sardar Bahadur Mehtab Singh was to move for the postponement of the consideration of the Bill for the present, we hailed the news with the greatest joy, because it was very difficult for us, Sir, either to side with one party or the other, and to have kept silence would have probably meant displeasing both parties. There can be, Sir, only two reasons for postponing this Bill. One is this that by postponing it till the next session both the communities shall have gained time to consider the matter in a more calm and peaceful atmosphere than they have been doing so far, and it is possible and very likely probable that they will come to a certain compromise in the question of *gurdwaras* and shrines. If that is the object of the postponement of this Bill, then it is a most welcome suggestion and I hope the whole House will agree with Sardar Bahadur Mehtab Singh and have the Bill postponed. But, Sir, behind that motion there lurks another fear and that is this. It may be that by postponing it we may only be giving an opportunity for further agitation on the point. I do not think, Sir, it is the desire or the wish of the house that any time should be given for further discussion by the Sikh masses of this Bill and thus cause greater excitement amongst the people. This would be a most dangerous thing, and I hope that this is not the object of postponing the consideration of the Bill. And if, as it is suggested, we postpone the Bill till the 2nd of May only, I am afraid that that will be the result because the members of this council will know that the Bill is to come on for consideration on the 2nd of May and therefore agitation will be kept alive and there will be a danger of keeping alive that excitement that exists among the Sikhs at present. The motion as originally proposed by Sardar Bahadur Sardar Mehtab Singh, namely, that the Bill should be postponed till the next session, would certainly have

meant a period of about two or three months, or at least two and-a-half months. That is a period, Sir, which can give us hope of some reconciliation, or at least of allaying the excitement that exists at present, and I quite agree with Raja Narendra Nath that if this Bill is to be postponed at all, it should be postponed for a longer period than is proposed by Sardar Bahadur Sardar Mehtab Singh at this stage. I would urge upon the Council that the postponement of this Bill is in the interests of public tranquillity, and I would urge, secondly, that it ought to be postponed for a longer period than that now proposed by Sardar Bahadur Mehtab Singh.

**The Hon'ble the President.**—The position is, as I said before, that the Council decided at its last meeting to proceed to-day with the consideration of this Bill. A notice was handed in by Sardar Bahadur Sardar Mehtab Singh to the effect that the consideration of the Bill be postponed until the next session of the Council, and the Council assembled on the understanding that that would be the motion to be discussed at this meeting. A further proposal has now been made that the consideration of the Bill be taken up on the 2nd May. Members have not had notice of that proposal, and there is definite opposition from various sections of the Council to the consideration of any motion of which no notice has been given. I rule therefore that it cannot be considered, but I give my permission for the motion of Sardar Bahadur Sardar Mehtab Singh that the consideration of the Bill be postponed until the next session of the Council.

**Sardar Bahadur Sardar Mehtab Singh.**—I beg now to move my original motion :—  
'That the Bill be postponed for consideration to the next session of the Council.'

**The Hon'ble the President.**—The motion before the Council is :

'That the consideration of the Bill be postponed until the next session of the Council.'

Does any Member wish to speak on this motion?

**Mian Beh Ram (Urdu).**—Sir, with reference to the proposed amendment, I

beg leave to remark that the matter is a complicated and delicate one. It is essential to know, first of all, what *gurdwaras* will be affected by the law. In the last meeting the matter was entrusted to the Education Member who was asked to prepare a list of such *gurdwaras*. No such list is, however, forthcoming. The Government have to conciliate the people, and if this matter is postponed the people should be given some assurance that the decision would be according to their wishes. I may mention that it was at first considered proper to come to a decision in the matter without loss of time. Even now there is a danger of the excitement spreading to the Army. At any rate the Sikh members who are anxious for the postponement of the Bill should assure us that there will be no breach of peace in the meanwhile.

**Mr. Ganpat Rai.**—The chief reason which actuates most of us for the postponement of the consideration of this Bill is that there is a general desire in the Province for private amicable settlement regarding these disputes, and if that is the general view of the Council, then I think the object a laudable one, and I support the motion that the Bill be postponed till the next session of the Council. But in the meantime I hope that the Members of the Government and of this Council and all other people, who are really interested in the peace and good order of the province, will try their best to effect a settlement between the different sections of the Sikhs, the *mahants*, Udasis and other sects who also claim an interest in these *gurdwaras*. With these remarks I beg to support the motion.

**Maulvi Muharram Ali, Ghishti (Urdu).**—Sir, in some countries it is considered a merit to be inconsistent. I am, however, not one of those who hold such an opinion. In the last meeting I expressed myself in favour of a speedy decision in regard to the *Gurdwara* Bill. The Sikhs were perfectly justified in making this demand in view of the excitement prevailing among

a large section of the people. Later on it was considered expedient to postpone the consideration of the measure both by the Sikh community and the Government. I am not opposed to the postponement; provided, as Mian Beli Ram has said, no complications arise in the meanwhile. But if I agree to this postponement, I should not be charged with inconsistency. Both on the previous and present occasions I have been actuated by a strong desire for an amicable solution of the question. What we want is that justice should be done, and with this end in view the Muhammadans as well as the Hindus are interested in the management of the *gurdwaras*. Justice should not be denied to any community even if it consists of twenty men (hear, hear). I belong to a sect of Muhammadans which forms the majority of the community, but I would not for that reasons deny justice to any sect which is in a minority. I should not be accused of inconsistency by any one. If we can arrive at an amicable solution of the matter, our object would be gained. If, however, anything untoward happens the responsibility will rest with the Sikh members. With these remarks I support the amendment.

**Sardar Dasaundha Singh.**—Mr. President, it has repeatedly been urged  
11-30 A.M. in this Council that this is a special measure and it is meant for the Sikhs alone. The Government is in no way eager to force this measure upon us. It is we who welcome it only for special reasons. The duty of the Government is only to see that peace and order are maintained, and it is our duty here as representatives of the Sikh community to bring before this Council the gravity of the situation. The situation is as grave and serious to-day as it was when this matter was first discussed in this Council some time back, and it is the duty of every member of this Council to devise means to allay the seriousness and gravity of the situation. That is possible only if a Bill which is satisfactory to the Sikhs is passed. Now if this Bill as it stands at present is rushed through, it will not meet the situation.



[Sardar Dasaundha Singh.]

We must as representatives of the Sikhs say this here to-day that the Bill as it has been amended is not a satisfactory measure. The Hindus, as has been remarked by some of the Hindu members do not want the Bill. They are under the impression that it is too favourable to the Sikh community, while we as representing the vast majority, in fact all the Sikhs community we are here prepared to say that it is not satisfactory to the Sikhs. We want this postponement simply because some sort of understanding might be arrived at, so that this Bill might become acceptable to the Sikhs; otherwise it will be useless to go on with the Bill. Unless it is improved upon in certain respects, it will not meet the object that we have all in view. It has been remarked by some of my hon'ble friends that this postponement should be only to arrive at some sort of understanding by way of compromise, and that the time that is to be taken for this purpose should not be utilised for any other purpose, that is, for increasing the agitation or anything of the sort. In that respect I may submit here with all the emphasis at my command, that the agitation is already strong enough, the feelings are very strong among the Sikhs that this evil that exists in the *gurdwaras* should be remedied. Nobody is anxious to still further carry on the agitation which might still more intensify those feelings; rather everybody is anxious to allay the excitement, and if the excitement is to be allayed, it is the Hindu members alone who can by showing some sort of sympathy achieve that object. The Muhammadans naturally and quite rightly have been adopting a very reasonable attitude, the attitude of sympathetic neutrals. But some of the Hindu gentlemen have been adopting the attitude of obstructionists. Now, if they persist in that sort of attitude, there is absolutely no hope of a compromise. If they persist in that sort of attitude, and if they are still labouring under the impression that this Bill is meant to prejudice the interests of the Hindus,

then there can be very little hope for a compromise or of some sort of understanding, and any length of time that might be taken up for that purpose will be useless.

Mian Beli Ram has also remarked that if any serious consequences ensue on account of this postponement, then the Sikh members will be responsible, and that they should give some sort of undertaking that no serious consequences will ensue. Perhaps Mian-Beli Ram does not know that we have all along been trying our best to keep all those who had very intense feelings under control, and they have hitherto been showing every possible reasonableness on that account; but at the same time I want to bring it to the notice of my Hindu friends that too long a postponement is not so very desirable. We submit to it only out of sheer necessity, and during that period if the Hindu members by their writings in the press or in some other way show some sort of sympathy for the wounded feelings of the Sikhs or if they try every legitimate means to allay that excitement that exists among the Sikhs, then we shall succeed in achieving the object and shall come to some sort of understanding. At the same time we shall be in a position to carry a Bill through this Council which might meet the situation. It is not strictly just for my hon'ble friends to enhance our responsibilities by saying that we alone will be responsible for everything. We have already been trying to impress the fact that Government alone cannot do everything for us. Some of our Sikh members have been under the impression that Government can pass any measure that Government likes, but in this respect we depend as much upon the Government as upon the sympathetic attitude of Hindu and Muhammadan gentlemen over here. If they keep this point in view, then alone can this difficult problem be solved and then alone can this postponement be of any use. We want this postponement only out of sheer necessity, because there is no other way to have a satisfactory

legislation, and it is for that reason alone that I support the amendment that has been put before you.

**The Hon'ble the President.**—Does any member wish to speak against the motion?

(Cries of no, no.)

**Pandit Daulat Ram Kalla.**—Sir, I support whole-heartedly the motion of Sardar Mentab Singh, as it has been brought forward in the interests of peace and good-will. It is always useful to get time when it is necessary to come to a compromise. If this motion is carried, we shall have more time, and Hindus and Sikhs will try their best to come to a compromise. Then some apprehensions about agitation have been raised by some gentlemen in the House during the next 2½ months during which the Bill will remain before the Committee. I must say, Sir, that Hindus and Sikhs have no quarrel, and the agitation is not pro-Hindu nor it is pro-Sikh, but it is the press that is making it. They may or may not take the same view, but it is sure that if more time is given, there will be some sort of a compromise and in commemoration of the first visit of His Excellency the Viceroy with the motive of justice and good-will, we should try to live in sympathy and do justice to each other.

**Rai Bahadur Lala Hari Chand (Urdu).**—Sir, at the last meeting of the Council I proposed that the consideration of the Bill should be postponed, and to-day also I do the same. My aim in making this proposal is that it will enable the Hindus and the Sikhs to arrive at a compromise. The Sahjdhari, the Nirmalas and the Udasis are bitterly opposed to the Bill, and I too belong to one of these sects. Perhaps the Council is aware of the fact that in Multan almost all the *gurdwaras* were founded by Sahjdhari Sikhs, and that in Multan out of a population of about fifty thousands as many as half the people are Sahjdhari Sikhs. Sardar Dasaundha Singh desires that the Council should be adjourned so as

to enable the Sikhs and Hindus to make up their differences by mutual concessions. I support Sardar Sahib whole-heartedly because I too am anxious for the settlement of this dispute.

**Chaudhri Muhammad Amin (Urdu).**—Sir, I cannot bring myself to agree with persons who are of opinion that the Muhammadans are not interested in the management and administration of Sikh *gurdwaras*. Our relations with the Sikhs are not of recent growth. The two sister communities have lived side by side in this country for several hundred years, and there is also a great similarity between the two religions, inasmuch as both the religions are based on the unity of God. The religion of the Sikhs is identical with what was preached by the founder of our religion and his followers. It would, therefore, be wrong to say that we Muhammadans are not interested in the efficient management and administration of *gurdwaras*. The Muhammadans have ruled India for many centuries, and during their rule Muhammadan kings granted large estates for the support of Hindu, Muslim as well as Sikh holy places and shrines. The Muhammadans are, therefore, anxious to see that the income derived from such grants of land should be spent properly and on objects for which they were intended by the donees. There is no doubt about the fact that certain undesirable things have been and are being practised in the *gurdwaras* and that the *sadhus*, *mahants* and *granthis* have become the bane of the Sikh community. In these circumstances, what the Muhammadans wish to see is that the *mahants* etc., should make a right use of the income derived from estates attached to the *gurdwaras*. On behalf of the Muhammadan members of this council I assure my Sikh brethren that the Muhammadans will place no obstacle in the way of the passing of the Bill, but would on the other hand be glad to help them to the best of their ability. The maintenance of peace and order in the country is the first duty of the Government, and in case there is a

[Ch. Muhammad Amin.]

breach of the peace the very existence of the Government might be endangered. It, therefore, behoves the Government to see that the income derived from estates attached to *Gurdwaras* and shrines is spent properly and thus preclude all possibility of a breach of the public peace.

I have one word more to say, and it is the assurance that as long as my Sikh brethren have the right on their side, the Muhammadans are with them. If the Sikhs want justice to be done to them, they should do justice to others in the first instance. If the Sikhs desire that the consideration of the Bill should be postponed to a future date so that they might be able to examine and discuss the Bill in detail amongst themselves with a view to come to an understanding with the Hindus; I congratulate them on their decision and support the motion with all the emphasis at my command.

**Sardar Bakhtawar Singh.** (Urdu).—Sir, it seems to me that in this Council as well as outside it two parties have come into existence. The first of these is the party of Sikhs who want to effect reforms without loss of time, and the other party consists of Hindus who posing as Sahjdhari Sikhs want to obstruct the passing of the Bill. If the consideration of the Bill is postponed for another two months and-a-half, and if it is taken up for discussion after such a long time has elapsed, the tension at present existing is not likely to abate. If the Muhammadan members without the least regard for any of the parties concerned consider the amendments dispassionately and ask one of the parties to withdraw their amendments, matters would be very much smoothed. The Muhammadan members have up to this time remained neutral, and it behoves them to bring about a compromise between the two parties.

**Rai Bahadur Lala Sewak Ram.**—I most strongly resent the remarks made by Sardar

Dasaundha Singh that Hindus are obstructionists, that they interfere too much in this Bill and that they in fact do not want the Bill to be passed in any shape or form as desired by the Sikhs. We are, Sir, on the contrary very much inclined to do our best to bring about a compromise rather than be styled as obstructionists and given a certificate in this Council to that effect. I have personally requested several of my Sikh brethren to attempt to bring about a compromise, and in return for that the Hindus have been granted a certificate that they are obstructionists. They do not in the least wish to obstruct this Bill. The only idea in their minds is that the Hindus are a nation which includes the Sikhs as well. The Sikhs are practically Hindus. They may for political reasons consider that they are separate, but we do not consider them as separate from us, and we have no grudge against and no dispute with the Sikhs in regard to this Bill. There are certain sects of the Sikhs which are admitted to be Sikhs, but to which the advanced party among the Sikhs deny this claim. Rai Bahadar Hari Chand has distinctly stated that these sects are not to be denied their position or their existence in this province. They are certainly in a minority, but the rights of minorities must be protected. And we Hindus, who feel that we embody all these classes and sects into our nation—the Sikhs, Nirmalas and Udasis—have taken up the attitude we have done in order that justice may be done to all these sects. We cannot, therefore, be classed as obstructionists. Again, Sardar Bakhtawar Singh has accused us that under the pretence of championing the cause of the Sahjdhari Sikhs, we Hindus really want to interfere in their affairs. In the first place, we do not admit that this is their affair; we believe that this is our affair as well, embodying as we do the Hindu sects and the various sects that are classed as Sikhs; and our interest in it is not taken merely under cover of any particular sect. I do not think, Sir that any compromise can be effected, however much we may want it,

in the face of the views that have been expressed by my colleagues Sardars Bakhtawar Singh and Dasannadha Singh. I would appeal to them that if time is taken it ought to be well spent and some sort of compromise may be attempted. After taking so much time already from the 5th instant till now—we cannot afford to spend any more time on minor disputes. I sincerely hope that some compromise will be brought about, and I appeal to my friends the Sikhs, whom I consider a section of the Hindu community, to bring about a compromise and to regard the interests of the minorities, the Sabjdharis, Udasis and Nirmalas, and I hope the Government will show they are out for protection for all these sects. I hope that the valuable time will be well spent and the Bill brought before the Council has such a shape that it can be unanimously passed.

**Sayad Muhammad Husain.**—I move the closure.

**The Hon'ble the President.**—The motion before the Council is

'That the question be now put.'

The motion was carried.

**Sardar Bahadur Sardar Mehtab Singh.**—The

motion which I put before the Council was a very simple one, and yet many members have gone out of their way to raise contentious points and to speak against one another. I would like to keep it as non-contentious as possible, but still I have to give certain explanations of, I might say, my conduct and the conduct of the Sikh community. To start with, Sir, I have been charged with inconsistency by one of the members here in saying that I wanted to rush through this Bill on the first day it was introduced while now I am wanting a postponement. I still consider the passing of this Bill as early as possible very necessary; but circumstances have greatly altered. At the time when I wanted it to be referred to the Select

Committee immediately for consideration, we had not this mountain of amendments which is now before the Council, and which will take several days to discuss even if very moderate time is allowed to each; this therefore changes the position altogether from what it was when the Bill was referred to the Select Committee. Then, Sir, we are taunted with having then said that if the Bill was not passed, there might be bloodshed. I rather think that we should congratulate ourselves that there has been no bloodshed. That fact should convince the members that every effort is being, and has been made, to maintain peace and order by every peace-loving Sikh in order to avoid any further trouble and excitement. And that is, we believe, our main function at this time—to restore peace and order and bring the Province to its normal condition as early as it lies in our power. There should not therefore have been any taunts levelled at us because there has been no bloodshed. We have been further told that the Sikh Members should hold themselves responsible for future peace if they ask for a postponement. As I have already explained that we conceive that to be our function. I need say no more about that. At the same time our position is very complicated, because we find that the Sikh public opinion is opposed to this Bill. Therefore, though we want this Bill to be passed as early as possible, yet against our wishes we have to ask the Government to extend the time for further consideration. In these circumstances, I am confident that the members of this Council will concede the fact that our present attitude is not inconsistent but is entirely justified.

Now, Sir, as regards the differences between Hindus and Sikhs, it is a very unfortunate thing that after about half a century the same old question has again cropped up. The Hindus say to the Sikhs we must keep you within our fold, and it is this attitude of theirs which is causing excitement among the Sikhs. I for one say that if the Sikhs do not wish to remain in the fold of Hinduism, why should the

Hindus seek to force them to do so. What benefit can they obtain by keeping an unwilling people as partners in their community? Why not let them go? That, Sir, is at the bottom of the whole excitement. The Hindus say "we will manage your affairs for you as your *gurdwaras* are partly yours and partly ours." We say that we wish to manage our own affairs and look after our own *gurdwaras* and are determined to do so.

Well, Sir, these being the circumstances I do not think we need take up any more time on the motion which I have proposed, and especially as every one has agreed that a postponement is desirable for further consideration. We say that the Bill is not good enough and Raja Narendra Nath on behalf of his party says it is too good for the Sikhs. I think it is very necessary that a postponement should be granted in order, if possible, to enable us to arrive at a decision agreeable to all parties. When we have arrived at some measure of agreement, it will rest with His Excellency to fix a session of the Council to pass the Bill. Such a meeting may be called at any time. I would therefore ask the members not to vote in any way against this motion.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—As has been said by Sardar Bahadur Sardar Mehtab Singh, the motion before the Council is a simple one, namely, the postponement of this measure to some date a few weeks hence. No doubt a large number of interesting and contentious points have been brought out in debate. I have made, Sir, a mental note of them, and I have no doubt they will receive due consideration when the time comes for their decision. As has been observed, Government is keenly interested in maintaining peace and order in the Province, and it is with a view to achieve this object that Government considered it necessary to pass this emergent measure to enable the Sikh reformers to attain their object of reform without in any way trespassing upon the rights of individual subjects of the Crown. I

have no doubt this Council in dealing with this their first important Bill will keep these high principles before them and deal with the Bill with due regard to these principles. As there is, I understand, no opposition to the proposal now before the Council, I do not think, Sir, it is necessary for me to detain you any longer.

**The Hon'ble the President.**—The motion before the Council is

"That the consideration of the Bill be postponed until the next session of the Council."

The motion was carried.

**The Hon'ble Khan Bahadur Mian Fazl-i-Husain.**—His Excellency has expressed the wish that the next session of the Council be held on the 9th May.

**The Hon'ble the President.**—I think it will be convenient to the Council to have a formal intimation of the date of the prorogation. I propose to adjourn the Council for 15 minutes and to take His Excellency's orders on the subject.

The Council adjourned at 12-15 for 15 minutes.

The Council reassembled at 12-30.

The following order of His Excellency the Governor proroguing the Council was read to the Council by the Hon'ble the President, all Members standing:—

"His Excellency the Governor of the Punjab is pleased to direct that this Council be prorogued unto Monday, the 9th of May 1921, to be here holden. And this Council is accordingly prorogued unto that date."

E. D. MACLAGAN,

Governor of the Punjab.

April 16th 1921."

NOTE.—By an order of His Excellency the Governor, dated the 30th of April 1921, the Council was further prorogued unto a date to be hereafter fixed.

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# DEBATES

## OF THE

# PUNJAB LEGISLATIVE COUNCIL,

## VOLUME I.

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