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Punjab Legislative Council Debates.

January 11th to March 18th, 1926.

Vol. IX-A.

OFFICIAL REPORT.

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25

PRINCIPAL OFFICERS OF THE PUNJAB LEGISLATIVE COUNCIL.

President.

The Honourable Khan Bahadur Chaudhri Shahab-ud-Din.

Deputy President.

Sardar Mohindar Singh.

Secretary to the Council: Sardar Abnasha Singh.

Assistant Secretary to the Council: Hakim Ahmed Shujaa.

PUNJAB LEGISLATIVE COUNCIL.

LIST OF MEMBERS.

EX-OFFICIO MEMBERS AND MINISTERS.

The Honourable Sir John Maynard, K.C.I.E., C.S.I., Finance Member.

The Honourable Khan Bahadur Mian Sir Fazl-i-Husain, Kt., Revenue Member.

The Honourable Rai Sahib Chaudhri Chhotu Ram, B.A., LL.B., Minister for Education.

The Honourable Sardar Jogendra Singh, Minister for Agriculture.

I.—OFFICIALS NOMINATED.

Anderson, Sir George, Kt., C.I.E., Director of Public Instruction, Punjab.

Astbury, Mr. A. R., M.I.C.E., Chief Engineer, Public Works Department (Buildings and Roads Branch).

Bakhle, Colonel C. R., I.M.S., Inspector-General of Civil Hospitals, Punjab.

Barron, Mr. C. A., C.S.I., C.I.E., C.V.O., I.C.S., Financial Commissioner and Secretary to Government, Punjab, Development Department.

Ramchandra, Mr., Secretary to Government, Punjab, Transferred Departments.

Goldstream, Mr. J., on special duty, office of the Secretary to Government, Punjab, Legislative Department.

Dobson, Mr. B. H., C.B.E., I.C.S., Offg. Home Secretary to Government, Punjab.

Dunnett, Mr. J. M., C.I.E., Offg. Chief Secretary to Government, Punjab.

Emerson, Mr. H. W., C.I.E., C.B.E., Officer on Special Duty, Punjab Civil Secretariat.

Irving, Mr. Miles, O.B.E., Secretary to Government, Punjab, Finance Department.

King, Mr. C. M., C.S.I., C.I.E., I.C.S., Financial Commissioner and Secretary to Government, Punjab, Revenue Department.

Muzaffar Khan, Khan Bahadur Nawab, Director of Information Bureau, Punjab.

Sangster, Mr. W. P., C.S.I., C.I.E., M.I.C.E., Chief Engineer, Public Works Department (Irrigation Branch).

II.—NON-OFFICIALS NOMINATED.

Gopal Das, Bhandari, Rai Bahadur Sir, Kt., C.I.E., M.B.E., Representative General interests.

Jawahir Singh, Sardar Bahadur Sardar, C.I.E., Representative, General interests.

Maya Das, Mr. Ernest, B.A., Representative of Indian Christians.

Mehdi Shah, Khan Bahadur Sir Sayad, C.I.E., O.B.E., K.C.I.E., Representative, General interests.

Muzaffar Khan, Khan Sahib, Lieut. Malik, Representative of Indian Army.

Roberts, Mr. Owen, Representative of European and Anglo-Indian communities.

Webb, Mr. H. W., Representative of Anglo-Indian community.

III.—ELECTED.

Abdul Aziz, Mian, Lahore City (Muhammadan), Urban.

Abdul Qadir, Khan Bahadur Shaikh, West Punjab Towns (Muhammadan), Urban.

Afzal Haq, Chaudhri, Hoshiarpur-*cum*-Ludhiana, Rural.

Asghar Ali Khan, Subedar-Major (Jhelum, Muhammadan), Rural.

Bakhtawar Singh, Sardar, Hoshiarpur and Kangra (Sikh), Rural.

Banke Rai, Lala, B.A., LL.B., South-East Towns (Non-Muhammadan), Urban.

Bhagat Ram, Raizada, Jullundur-*cum*-Ludhiana (Non-Muhammadan), Rural.

Bodh Raj, Lala, M.A., LL.B., West Punjab Towns (Non-Muhammadan), Urban.

Buta Singh, Sardar, B.A., LL.B., Multan Division and Sheikhupura (Sikh), Rural.

Vacant, Amritsar (Sikh), Rural.

Dhanpat Rai, Rai Bahadur, Lala, Chairman, Punjab National Bank, Ltd., (Punjab Industries).

Dhan Raj, Bhasin, Captain, M.B., B.S., East and West Central Towns (Non-Muhammadan), Urban.

Dhira Singh, Sardar, M.B., B.Sc., Lahore (Sikh), Rural.

Diwan Chand, Lala, Amritsar City (Non-Muhammadan).

Duli Chand, Chaudhri, Karnal (Non-Muhammadan), Rural.

Faiz Muhammad, Shaikh, B.A., LL.B., Dera Ghazi Khan (Muhammadan), Rural.

Farman Ali Khan, Subedar-Major, Rawalpindi (Muhammadan), Rural.

Fazl Khan, Munshi, Kangra-*cum*-Gurdaspur (Muhammadan), Rural.

Fazl Ali, Khan Bahadur, Chaudhri, M.B.E., Gujrat East (Muhammadan) Rural.

Firoz Khan, Noon, Malik, Shahpur East (Muhammadan), Rural.

Firoz-ud-Din Khan, Rana, B.A., LL.B., South-East Towns (Muhammadan), Urban.

Ganga Ram, Rai Sahib Lala, B.A., LL.B., Ambala-*cum*-Simla (Non-Muhammadan), Rural.

Ghulam Muhammad, Chaudhri, Gujrat West (Muhammadan), Rural.

Gokul Chand, Narang, Dr. M.A., Ph.D., North-West Towns (Non-Muhammadan), Urban.

Gray, Mr. V. F., Punjab Chamber of Commerce and Trades Association, Commerce.

Gurbakhsh Singh, Sardar, B.A., LL.B., Ambala Division (Sikh), Rural.

Haibat Khan, Daba, Khan, Multan East (Muhammadan), Rural.

Har Chand Singh, Sardar, Lyallpur (Sikh), Rural.

Husain Shah, Sayad, Jhang (Muhammadan), Rural.

Jodh Singh, Sardar, M.A., (Sikh), Urban.

Karam Ilahi, Khan Bahadur Chaudhri, M.B.E., Gujranwala (Muhammadan), Rural.

Kesar Singh, Chaudhri, Amritsar-*cum*-Gurdaspur, Rural.

Khan Muhammad Khan, Malik, Sheikhupura (Muhammadan), Rural.

Khuda Bakhsh Khan, Nawab, Malik, Sir, K.C.I.E., O.B.E., (Muhammadan), Landholder.

Lahh Singh, Mr. M. A., LL.B. (Cantab.), Rawalpindi Division and Lahore Division, North (Non-Muhammadan), Rural.

Maqbool Mahmood, Mir, Amritsar (Muhammadan), Rural.

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

Mohan Lal, Lala, B.A., LL.B., North-East Towns (Non-Muhammadan), Urban.

Mohan Lal, Bhatnagar, Lala, B.A., LL.B., Lahore and Ferozepore-*cum*-Sheikhupura (Non-Muhammadan).

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

Muhammad Abdullah Khan, Khan, Muzaffargarh (Muhammadan), Rural.

Muhammad Husain, Sayad, Montgomery (Muhammadan), Rural.

Muhammad Jamal Khan, Khan Bahadur Nawab, Baloch Tumandar (Landholders).

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

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

Muhammad Saif Ullah Khan, Khan Sahib Khan, Mianwali (Muhammadan), Rural.

Muhammad Shafi Ali Khan, Khan Sahib Chaudhri, Ambala Division, North-East (Muhammadan), Rural.

Muhammad Shah Nawaz, Mian, Lahore (Muhammadan), Rural.

Mumtaz Muhammad Khan, Tiwana, Captain, Malik, Shahpur West (Muhammadan), Rural.

Najib-ud-Din Khan, Chaudhri, Ferozepore (Muhammadan), Rural.

Nanak Chand, Pandit, M.A., Hoshiarpur (Non-Muhammadan), Rural.

Narain Singh, Sardar, B.A., LL.B., Rawalpindi Division and Gujranwala (Sikh), Rural.

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

Nihal Chand, Sikri, Lala, L.M.S., Lahore City (Non-Muhammadan).

Noor Din, Chaudhri, Lyallpur South (Muhammadan), Rural.

Partap Singh, Jamadar, Jullundur (Sikh), Rural.

Pohap Singh, Rao, M.A., LL.B., Gurgaon (Non-Muhammadan), Rural.

Ram Singh, Chaudhri, Kangra (Non-Muhammadan), Rural.

Randhir Singh, Sardar, Kalaswala, Sialkot-*cum*-Gurdaspur (Sikh), Rural.

Ruchi Ram, Sahni, Professor, M.A., Punjab University.

Saadullah Khan, Chaudhri, B.A., Jullundur (Muhammadan), Rural.

Sahib Dad Khan, Chaudhri, Gurgaon-*cum*-Hissar (Muhammadan) Rural.

Sewak Ram, Rai Bahadur Lala, Multan Division (Non-Muhammadan), Rural.

Shahadat Khan, Rai, Lyallpur North (Muhammadan), Rural.

Sham Lal, Lala, Hissar (Non-Muhammadan), Rural.

Sikandar Hayat Khan, Lieut. Sardar, M.B.E., Attock (Muhammadan), Rural.

Tara Singh, Sardar, B.A., LL.B., Ferozepore (Sikh), Rural.

Tek Ram, Chaudhri, North-West Rohtak (Non-Muhammadan), Rural.

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PUNJAB LEGISLATIVE COUNCIL.

7TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Monday, the 11th January 1926.

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

OATH OF OFFICE.

The following members were sworn in :—

Sir George Anderson, Kt., C.I.E. (Official, nominated).

Mr. H. W. Emerson, C.I.E., C.B.E. (Official, nominated).

QUESTIONS AND ANSWERS.

Mian Abdul Aziz : Sir, before proceeding with questions, I wish to point out that we have not been given printed copies of the questions and answers. It is impossible for us to follow anything without the printed copy of the questions and answers.

Mr. President : Will the Secretary please explain why printed copies of questions and answers were not distributed to the members as usual ?

The Secretary : The usual practice is that printed copies of questions and answers both in English and in vernacular are made available to members but to-day it was not possible to do so because the answers did not arrive in the Council office in time.

2490 and 2491—*cancelled.*

PUNITIVE POLICE AT SHAHPUR IN THE KARNAL DISTRICT.

2492. Chaudhri Duli Chand : (*a*) Will Government kindly give the reasons why punitive police is posted at Shahpur in the Karnal district ?

(*b*) Is it a fact that it is posted on account of the commission of a murder at night in the jungle of Shahpur and the refusal of people to become prosecution witnesses to give evidence on behalf of the police ?

(*c*) Is it also a fact that punitive police charges are recovered even from the neighbouring villages of Kaith and Bijawa ? If so, why ?

(*d*) What are the total charges of the punitive police recovered from these three villages and what is the amount of land revenue collected from these villages ?

(*e*) Is Government aware that these villages have heavily suffered this year from (*i*) the overflow of water in the local flood channel, (*ii*) malarial fever, (*iii*) want of rain, and (*iv*) cattle mortality ?

[Ch. Duli Chand.]

(*f*) Is Government aware that the punitive police is located in a chopal in the abadi of the village? If so, was any objection raised by the villagers to the location of the police in this place? If so, what action was taken by the Government on the objection?

The Honourable Sir John Maynard :—

(*a*) Owing to the misconduct of the villagers concerned.

(*b*) The murder referred to and organised opposition of the villagers to its investigation was one of the reasons for the imposition of the post, but not the sole reason.

(*c*) Yes, owing to the misconduct of these villagers.

(*d*) Police charges Rs. 3,897-10-0.

Land revenue Rs. 5,700.

(*e*) Government has no information to show that these villages have suffered more heavily in these respects than other villages in the district.

(*f*) Yes. The consent of the villagers to the arrangement by which the police were located in a chopal of the village was given by them in writing.

Chaudhri Duli Chand : Sir, with reference to the answer to part (*a*) of the question, will the Government please state the nature of the misconduct of the villagers?

The Honourable Sir John Maynard : Crime.

Chaudhri Duli Chand : What sort of crime, Sir?

The Honourable Sir John Maynard : Every kind of crime.

Chaudhri Duli Chand : With reference to the answer to part (*b*) of the question, will the Government please state what kind of opposition the villagers made?

The Honourable Sir John Maynard : They withheld information during the investigation of the murder case.

Chaudhri Duli Chand : With reference to the answer to part (*c*) will the Government please state the nature of the misconduct of the neighbouring villagers?

The Honourable Sir John Maynard : Crime.

Chaudhri Duli Chand : What sort of crime?

The Honourable Sir John Maynard : All sorts of crime.

Chaudhri Duli Chand : With reference to the answer to part (*e*) will the Government please say whether it is not one of the duties of the local officers to give such information to Government?

The Honourable Sir John Maynard : Yes, and they did give the information regularly.

Chaudhri Duli Chand : If so, why did they fail to give the information in this case?

The Honourable Sir John Maynard : They did not fail to give the information.

Chaudhri Duli Chand : What is that information ?

The Honourable Sir John Maynard : The information is what I have given in the answer.

Chaudhri Duli Chand : Is it not a neglect of duty on the part of the officials to give no definite information ? If so, what action will the Government take against them ?

The Honourable Sir John Maynard : There has been no failure and so there will be no action by Government.

Chaudhri Duli Chand : With reference to the answer to part (*f*), will the Government please say whose handwriting it was in which the consent of the villagers was given ? Was it in the handwriting of the villagers themselves or was it the handwriting of the police and the thumb-impression of the villagers were affixed to it without their knowing what it was they were affixing their thumb-impressions to ?

The Honourable Sir John Maynard : I must ask for notice of that question.

2493—*cancelled.*

BREACH IN THE RAYA BRANCH OF THE UPPER CHENAB CANAL.

2494. Sayad Muhammad Husain : (*a*) Is it a fact that all the areas of village Satrah, district Sialkot, was originally irrigated by Satrah (Chhamb) ?

(*b*) Is it also a fact that in 1912 the canal department effected a breach in the Raya branch of the Upper Chenab Canal on Burji No. 97000, and that this breach silted up the soil and made it unirrigable from the Satrah Chhamb ?

(*c*) Is it also a fact that about a thousand acres of land were cut off from the irrigation of Chhamb by the introduction of Raya branch ?

(*d*) Is it also a fact that the canal department had been supplying water for this cut off tract till 1922 ?

(*e*) Is it a fact that the owners of village Satrah, district Sialkot, gave notice to the Government in July 1925 claiming damages to the extent of Rs. 30,000 ?

(*f*) If the answers to the above are in the affirmative, what action does the Government propose to take in the matter ?

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

EXAMINATION OF GIRL STUDENTS IN THE JULLUNDUR DISTRICT.

2495. Sardar Partap Singh : (*a*) Is it a fact that an officer of the Education Department examines annually the girl students of the V class of girls' primary schools for promotion to the VI class of girls' middle schools?

[Sardar Partap Singh.]

(b) If the answer to (a) be in the affirmative, will Government please state if it is a fact that last year girl students of the V class of most schools in the Jullundur district were not so examined at all, and that about two months after the expiry of the academic year, the lady teachers of those institutions received orders from the Education authorities that no student should be promoted to the VI class as all of them were declared to have failed?

(c) If the answer to (b) be in the affirmative, will Government please state the reasons for the issue of such orders by the Education authorities?

(d) If answer to (b) be in the negative, will Government please lay a statement on the table giving the name of the examining officer and the dates on which he examined the students of the different schools in the Jullundur district and the results he declared?

The Honourable Rai Sahib Chaudhri Chhotu Ram:

(a) No.

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

Sardar Partap Singh: Will the Government please state whether it is a fact that the District Inspector of Schools, Jullundur District in his letter No. 693, dated the 3rd April 1925, informed the Headmaster of the Girls' School, Jullundur, that the girl students of the V class in his school are declared unsuccessful and whether he examined the students on the 3rd December and the letter was written by him on the 3rd April 1925?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I must require notice of that question.

CLOSURE OF BHIMBAR NALLA IN THE RAINY SEASON.

2496. Mr. Labh Singh: Has the attention of Government been drawn to the great hardship and inconvenience caused to the inhabitants of Gujrat and Phalia Tahsils in crossing the Bhimbar nalla in the rainy season? If so, will the Government be pleased to state what action it intends to take in the matter?

Mr. J. G. Beazley: No. The matter is one for the consideration of the district board whose attention has already been invited to it.

Mr. Labh Singh: The local fund being too poor to meet the cost of the undertaking, will the Government consider the desirability of meeting the expenditure from the provincial funds?

Mr. J. G. Beazley: It is always open to a local body which cannot afford to pay for an essential service to apply to the appropriate department of Government for a grant-in-aid.

ALLEGATIONS OF CORRUPTION AND BRIBERY AGAINST BAKHSHI PARTAP SINGH, SUB-INSPECTOR OF POLICE.

2497. Sardar Narain Singh: (a) Is Government aware that in October last a big Diwan of the Sikhs was held at village Guliani (Tahsil Gujrat) in the Gujrat district?

(b) Is the Government also aware that at this Diwan open allegations of corruption and bribery were made against Bakhshi Partap Singh, Sub-Inspector of Police?

(c) If the answer to (b) be in the affirmative, what action does Government propose to take in the matter ?

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

EMOLUMENTS OF ZAILDARS.

2498. **Sardar Narain Singh:** (a) Is it a fact that in the districts of Lyallpur and Sheikhupura, Government have increased the emoluments of zaildars ?

(b) If so, on what grounds ?

(c) Will Government please state why enhancements of the emoluments of the zaildars in other districts also have not been sanctioned ?

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

WATER-LOGGED LANDS IN THE GUJRANWALA DISTRICT.

2499. **Sardar Narain Singh:** (i) (a) With reference to the answer to my question No. 185* asked on 3rd March 1924, will Government please state what is the total area of water-logged lands in the Gujranwala district at present ?

(b) Is Government aware that water-logging in the Gujranwala district is alarmingly on the increase having already seriously damaged most villages and towns and rendered many people homeless ?

(c) Is it a fact that before the introduction of canals the level of the subsoil of water was at a depth of about 30 feet ?

(d) If the figure in (c) above be not correct, will Government please give the correct figure ?

(e) Is it a fact that the level of the subsoil water is now only at a depth of about 8 feet ?

(f) Will Government please state in how many years the level has so risen ?

(ii) (a) Will Government please state what action it has taken to remove the danger of water-logging in the district ?

(b) Was a water-logging committee constituted for the Gujranwala district ?

(c) If so, how many times did that committee meet ? Will Government please lay on the table the proceedings of these meetings ?

The Honourable Mian Sir Fazl-i-Husain: The question has necessitated enquiries which are not yet complete. I will send the answer to the honourable member as soon as it is ready.

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*Vol. VI, page 275.

INCREASE OF WATER RATES.

2500. Sardar Narain Singh: Will Government please state —

(a) how many petitions objecting to the recent increase of water rates were received by the Settlement Officer, Gujranwala?

(b) what steps were taken to notify the fact of this enhancement to the ordinary cultivators?

(c) is it a fact that beyond giving information to a few lambardars and zaildars no other definite step was taken to give direct information to the ordinary cultivators?

(d) how many of the applications referred to in (a) were rejected on technical grounds such as time barred, etc.?

(e) will Government please state whether any representation was made to the Honourable the Revenue Member or the Financial Commissioner protesting against the enhancement of water rates? If so, when? What were the main grounds of protest?

(f) Did the Honourable the Revenue Member or the Financial Commissioner personally pay any visit to any village to inspect the condition of crops so as to form on the spot a judgment of the real state of things?

(g) will Government please state the reasons for the enhancement of water rates in the face of such adverse circumstances caused by water-logging?

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

SYSTEM OF *RUNUMAI* OF UNDER-TRIAL PRISONERS.

2501. Sardar Narain Singh: (a) Is Government aware that magistrates in the province often keep the accused persons under trial in the lock-up much longer than the prescribed period of 15 days at a time?

(b) Is Government aware that to evade the provisions of the Criminal Procedure Code the magistrates generally fix an intervening date for what is known as the *runumai* (face showing) of the accused?

(c) If the answers to (a) and (b) be in the affirmative, will Government please state whether this system of *runumai* is authorised?

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

GARDEN PARTIES IN HONOUR OF SHEIKH NUR ILAHI, INSPECTOR OF SCHOOLS, MULTAN.

2502. Lala Bodh Raj: (a) Is it a fact that Sheikh Nur Ilahi, Inspector of Schools, Multan, on or after his transfer from Multan was given garden parties in several districts of the division and the officials of the districts joined in those functions?

(*b*) Will the Government please state if any sanction was obtained for the same from the Government as required by the Government Servants Conduct Rules?

(*c*) If the reply to part (*a*) be in the affirmative, and to part (*b*) be in the negative, will the Government please state what action it has taken or intends to take against the officials concerned?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

RELEASE OF AKALI PRISONERS.

2503. Lala Bodh Raj: (*a*) Will the Government please state if any instructions were issued to the District Magistrates not to give facilities for the release of Akali prisoners even if they are prepared to give the undertaking referred to in the speech of His Excellency the Governor delivered in the Council on the 9th July last? If so, what were the reasons for the issue of such instructions?

(*b*) Will the Government please state if after the issue of such instructions any Akali prisoner was prepared to give the above undertaking and he could not be released because of such instructions?

The Honourable Sir John Maynard: (*a*) Instructions were issued to the Inspector-General of Prisons and certain District Magistrates on 15th September 1925, to the effect that no facilities should be given to any Akali prisoner to sign the prescribed undertaking without the special sanction of Government, to be obtained after reporting the circumstances. The object of these instructions was to avoid the appearance of bringing pressure upon any Akali prisoner to sign the undertaking.

(*b*) Government is not aware that any Akali prisoner, willing to give this undertaking, failed to secure his release in consequence of these instructions. On the contrary, one adult and 34 juveniles of this class were released thereafter.

Lala Bodh Raj: Will the Government please state if the one adult and the 34 juveniles were released on their giving the undertaking or without the undertaking?

The Honourable Sir John Maynard: In the case of the juveniles no undertaking was taken. In the case of the adult I cannot say without further enquiry.

KHARAR WATER WORKS SCHEME.

2504. Lala Bodh Raj: (*a*) Is it a fact that Lala Thakar Das, Teacher, Mission School, is also the President of the Small Town Committee, Kharar, district Ambala?

(*b*) Is it a fact that the Government has sanctioned the grant of about Rs. 30,000 to the committee for the water works scheme?

(*c*) Is it a fact that in connection with the execution of the above scheme an experimental well is being sunk, that the contract for this work has been given to Lala Sohan Lal, the son of the President of the Committee, and that the President has himself to supervise the work?

[Lala Bodh Raj.]

(d) Is Government aware that Lala Sohan Lal does not possess any immovable property in his own name?

(e) Is it a fact that several complaints have been made to the Deputy Commissioner Ambala, against the President and his son, the contractor? If so, what action has been taken on those complaints?

(f) If the reply to part (d) be in the affirmative, will the Government please state what steps have been taken to prevent any loss to the Government or the committee in case the contractor does not comply with the terms of the contract in executing the work?

(g) Will the Government please state whether the Government intends to interfere in the matter?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

OFFICERS OF GOVERNMENT AT ZAFARWAL.

2505. Khan Muhammad Abdullah Khan: With reference to the answer to question No. 2448* asked on the 11th December 1925, will Government be pleased to state at least the community to which these officials belonged and further consider the advisability of stating the date of their posting to Zafarwal?

Mr. J. M. Dunnett: Information is being collected and will be communicated to the honourable member when ready.

NAROWAL MUNICIPAL COMMITTEE.

2506. Khan Muhammad Abdullah Khan: With reference to the answer to question No. 2450* asked on the 11th December 1925, will Government kindly state the population of 'Hindus' and 'others' separately and also say—

(a) why a member has been nominated from 'others' for that municipality and what interests he is supposed to represent;

(b) why no Muhammadan has been nominated as a member of the municipal committee; and

(c) whether Government proposes to take the claims of Muhammadans for nomination into consideration when nominating a member for the next vacancy or when the next general elections take place?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

"BUND" NEAR VILLAGE BUBAK, SIALKOT DISTRICT.

2507. Khan Muhammad Abdullah Khan: Will Government please state whether it is a fact that long ago there existed a "Bund" near village Bubak, two miles from Zafarwal in the Sialkot District, for the protection of village Bubak and the main Zafarwal-Sialkot road, but this

* Volume VIII-B, pages 1705-06.

"Bund" has not been in existence for the past few years and consequently the lands of several zamindars of Bubak and almost all the portion of main road opposite Bubak have been washed away by the floods of the Dek Nullah? If the answer to the above is in the affirmative, will Government kindly state what action it has so far taken to repair or to reconstruct this "Bund" to safeguard the lands of zamindars and the main Zafarwal-Sialkot road.

(NOTE.—This "bund" does not refer to the "bund" which exists between villages Bubak and Haojali along the Dek Nullah.)

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

LAHORE ZOO.

2508. Khan Muhammad Abdullah Khan: (i) (a) Will Government kindly state the year in which the Lahore Zoo was established and opened to public?

(b) Will it also state the names (communitywise) of the Curators employed ever since the establishment of the Zoo up till now?

(c) Will Government kindly consider the advisability of entrusting this job to an Indian in the near future or at least when the present incumbent vacates the post?

(ii) (a) Will Government be pleased to state who audits the accounts of the Lahore Zoo and who is the disbursing officer of the annual grant sanctioned for the Zoo?

(b) Will it also state whether the accounts of the Zoo have been audited ever since its establishment? If so, how many times and whether any discrepancies have ever been found in its accounts?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

SHAHDARA-NAROWAL RAILWAY.

2509. Khan Muhammad Abdullah Khan: (a) Is it a fact that the Amritsar-Narowal Railway is already under construction and will be opened in the near future, and another project from Shahdara to Narowal is under the consideration of the Local Government? If so, will Government be pleased to state whether, when Narowal is already being connected with Amritsar and Lahore through the Amritsar-Narowal line, it considers another line connecting Narowal with Lahore and Amritsar necessary? If so, why?

(b) Will Government also state the distance from Narowal to Lahore *via* the Amritsar-Narowal line and also *viâ* the proposed Shahdara-Narowal line?

(c) Has Government considered the advisability of moving the railway authorities to consider the proposal of opening a line from Shahdara to Pasrur or Sialkot instead or from Shahdara to Narowal? If so, with what result? If not, does it propose to consider the question now?

The Honourable Mian Sir Fazl-i-Husain : (*a*) The construction of a railway from Amritsar to Narowal has not yet commenced.

A project for a railway from Shahdara to Narowal is under the consideration of the Local Government.

The Amritsar-Narowal connection if built will be constructed as a project likely to prove remunerative and without guarantee from the Local Government.

The Local Government have recognised for some time the necessity for improving communications in the area Shahdara-Narowal-Pasrur and were aware of the probability of a connection between Amritsar and Narowal being built when they selected the route Shahdara-Narowal in preference to other alternatives.

(*b*) Distance from Narowal to Lahore will be :—

(*i*) *Viâ* Amritsar 76 miles.

(*ii*) *Viâ* Shahdara 54 miles.

(*c*) As stated in (*a*) above the route Shahdara to Narowal was selected by the Local Government after consideration in preference to other alternatives.

EXTENSION OF SHAHDARA-NAROWAL RAILWAY LINE TO JAMMU.

2510. Khan Muhammad Abdullah Khan : With reference to the answer to part (*b*) of question No. 1737* asked on the 1st May 1925, and the answer to question No. 2326† asked on the 11th December 1925, does Government propose to consider the desirability of moving the railway authorities to extend the Shahdara-Narowal Railway line to Jammu *via* Zafarwal ?

The Honourable Mian Sir Fazl-i-Husain : It is the function of the Communications Board to initiate a proposal of the kind suggested in this question. Government is not aware that the Communications Board have had this proposal under consideration, and if the honourable member wishes it to be considered he should address the Secretary, Communications Board.

HIGH SCHOOLS IN THE SIALKOT DISTRICT.

2511. Khan Muhammad Abdullah Khan : (*a*) Will Government kindly state the number of high schools in the Sialkot district excluding those in the Sialkot City ?

(*b*) Is it a fact that a proposal to raise the Municipal Board School at Zafarwal (Sialkot district) to the status of a high school has been submitted to the Education Department of the Punjab Government ?

(*c*) If so, will Government kindly state at what stage the proposal is and whether Government is prepared to give it a favourable consideration ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*a*) Six.

(*b*) No.

(*c*) Does not arise.

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* Volume VIII-A, pages 870-71.
† Volume VIII-B, page 1683.

HOMŒOPATHIC MEDICAL PRACTITIONER.

2512. Sardar Dhira Singh: (*a*) Is it a fact that a large number of Homœopathic medical practitioners are at present practising in the Punjab?

(*b*) Is Government aware that the certificates these practitioners hold give impression to the public that they are qualified medical men?

(*c*) Is it a fact that they obtain such certificates remitting a nominal fee to certain institutions in Calcutta or abroad and without undergoing actual training in a medical school or college?

(*d*) Has the attention of Government been drawn to the fact that such persons make use of Allopathic medicines and pass for Allopathic doctors and thus deceive the public?

(*e*) If the reply to (*a*), (*c*), (*c*) and (*d*) be in the affirmative, will the Government be pleased to state whether they propose to prohibit persons possessing Homœopathic certificate from practising Allopathy?

Mr. J. G. Beazley: Government are aware that a certainnumber of unqualified persons practising medicine in the province impose upon the credulity of the public but are not prepared at present to take any steps in the matter, as they consider that the only real remedy for the existing state of affairs is the spread of education.

Mian Abdul Aziz: I want to put a supplementary question if the answer to this question* is read.

Mr. J. G. Beazley: The honourable member in whose name this question stands only wanted the answer to this question to be laid on the table and as such I do not think my honourable friend Mian Abdul Aziz has any right to put a supplementary question.

Mian Abdul Aziz: Is there any prohibition for me to put a supplementary question even if the answer to a question is not read but is only laid on the table?

Mr. President: The answer to this questian has been asked to be laid on the table. If the answers to questions have been laid on the table and if any member of the Council has access to them then any question which arises from the answers can be put as a supplementary question.

RESIGNATION OF CHAUDHRI CHIRAGH DIN, EXTRA ASSISTANT COMMISSIONER.

2513. Sardar Dhira Singh: (*a*) Will the Government be pleased to state if it is a fact—

(*a*) that Chaudhri Charagh Din, Extra Assistant Commissioner, has been under suspension during the last three months;

(*b*) that the conduct of this officer has been under police enquiry;

(*c*) that a number of cases of allegations of corruption were found against him by the police;

*NOTE.—The answer to question No. 2512, was not read out in the Council as the questioner desired that this answer be laid upon the table.

[Sardar Dhira Singh.]

(*d*) that the Commissioner, Lahore Division, and the Legal Remembrancer to the Government gave the opinion that the above cases were fit for prosecution ;

(*e*) that the file relating to the case disappeared from the Secretariat and was recovered after vigorous investigation, and that a Superintendent of the Secretariat and his assistant were suspended in this connection ;

(*f*) that a departmental enquiry was held in connection with the missing file ;

(*g*) that Chaudhri Charagh Din has resigned his office and his resignation has been accepted and the proposal for his prosecution dropped ?

(*ii*) If the replies to the above be in the affirmative, will the Government be pleased to state the reasons for not prosecuting Chaudhri Charagh Din ?

(*iii*) Will the Government also please state the result of the departmental enquiry held in connection with the disappearance and recovery of the file ?

Mr. J. M. Dunnett : (*a*) Yes.

(*b*) Yes.

(*c*) and (*d*) Government is not prepared to disclose the results of preliminary enquiries or the opinions and recommendations of its officers.

(*e*) Yes.

(*f*) Yes.
(*g*) Yes.

(*ii*) Government was not satisfied that a prosecution would be successful.

(*iii*) A departmental enquiry resulted in the finding that the Superintendent had not withheld the papers with the intention of improperly assisting Chaudhri Charagh Din. He was reverted to the post of Assistant on the ground of carelessness and inefficiency.

AMENDMENT OF STANDING ORDERS.

Mr. President : The motion standing against the name of Dr. Gokul Chand Narang is as follows :—

"That leave be granted to amend Standing Orders 33 (3) and 63 as follows :—

(1) That the words following the word 'reply' in Standing Order 33 (3) be omitted.

(2) That the words 'when speaking for the first time' be omitted from Standing Order 63".

Does any honourable member oppose leave being granted ?

The Honourable Sir John Maynard : I object to leave being granted.

Mr. President : Those who are in favour of leave being granted will please rise in their places. (More than 20 members rose in their places.)

Mr. President : The honourable member has the leave of the Council.

Dr. Gokul Chand Narang : Sir, I beg to move :—

"That the words following the word "reply" in Standing Order 33 (3) be omitted... .....;

Mr. President : According to Standing Order 57, the only motion that the honourable member can now make is that the draft be referred to a Select Committee.

Dr. Gokul Chand Narang [North-West Towns (Non-Muhammadan) Urban] : Sir, I beg to move :—

"That the draft amendments be referred to a Select Committee".

Mr. President : Standing Order 57 says :—

"Where a member has the leave of the Council to proceed, he shall move that the draft be referred to a Select Committee."

Dr. Gokul Chand Narang : Is it not allowed under the rules, Sir, to make any speeches on the motion that the draft amendments be referred to a Select Committee? Is it going to be a silent vote? If there are to be no speeches, then the procedure, as I understand it, Sir, is that the draft amendments go to a Select Committee. If you turn to Articles 99 and 100 of the Punjab Constitutional Manual, we find the procedure that is to be adopted to amendments to Standing Orders. Article 99 says :—

"When the motion is reached, the President shall read any draft amendment proposed and ask whether the member has the leave of the Council. 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 twenty members rise accordingly, the President shall intimate that the member has the leave of the Council. If less than twenty members rise, the President shall inform the member that he has not leave of the Council."

Then Article 100 says :—

"Where a member has the leave of the Council to proceed, he shall move that the draft be referred to a Select Committee."

"If that motion is carried, the draft shall be referred to a Select Committee of which the President shall be the Chairman, and the Deputy President shall be a member .....

Well, Sir, if this is to be treated like other motions, there is nothing in the rules to show that there is to be voting without any speeches being made on the amendment. I take it that the mover ought to have an opportunity to explain why the amendments are necessary before any voting is allowed to take place. If no opportunity is given to the mover to explain, it would amount to passing a judgment without hearing the parties or the counsel and this is a procedure not sanctioned by any law or any system of jurisprudence. If I am permitted, Sir, I shall try to explain the necessity for these amendments.

Mr. President : The Standing Orders lay down when speeches can be made and when they cannot be made. For motions relating to amendments of Standing Orders a special procedure is prescribed and a strict reading of the Standing Orders leads me to think that at this stage no speeches are permissible. But I understand that there is a practice to the effect that speeches are allowed at this stage. Therefore in deference to that practice I allow the honourable member to make a speech.

Dr. Gokul Chand Narang : Sir, the Standing Orders which I want to amend are Standing Order 33 (3) and Standing Order 63. Standing Order 33 (3) says :

> "A member who has moved a motion may speak again by way of reply, and if the motion is moved by a non-official member, the member of the Government to whose department the matter relates shall have the right of speaking (whether he has previously spoken in the debate or not) after the mover has replied."

The amendment, that I want to be made in this Standing Order is :

> "That the words following the word 'reply' be omitted."

This amendment if given effect to means that the Government member should not have the right to say the last word on the subject of the resolution which is moved by a private member of this House. The Government has got full opportunitiy to have its say and to put the case of the Government before the Council while other members are speaking. We know from the practice of this House, which I have observed for the past two years, that whenever a member of the Government wants to speak, the President as a rule gives him preference because the President thinks that if the case of the Government is put before the Council and the subject matter of the resolution is explained by a representative of the Government, there might not be any further necessity for the debate or that the mover of the resolution might adopt the suggestions made by the Government, if the Government is prepared to meet us half way or some other settlement of the matter might be arrived at. I have observed this, that the representative of the Government has never found any difficulty in putting in his word on any subject that comes up for discussion before the House. Therefore he can always represent the view of the Government on any subject that may arise for discussion in this Council. The ordinary procedure of all the debates of which I am aware is that when a person has moved a resolution or has originated or initiated a proposal and the debate follows thereupon it is he who has the right of final reply on the subject. But in this case we find that the Government has a double opportunity of having its say, once when the debate is going on and again, when the mover has given his final reply, the representative of Government gets up and he does not confine his remarks to the points which might be raised in reply or which might require a reply, but raises altogether new points and sometimes very contentious points which the mover does not have an opportunity to meet. As a glaring instance of this, Sir, I would draw the attention of the House to the debate that we had on one of the most important matters, namely, the one relating to the Mandi Hydro-Electric Scheme. On a previous occasion also the Government representative had his say after the mover of the resolution, my friend Professor Ruchi Ram, had his final reply. On the

last occasion also so far as I can recollect the Honourable Minister for Agriculture spoke on the subject and gave full exposition from the Government point of view on the Mandi Scheme and then the mover of the resolution gave his reply and it was then that the representative of the Government who had been specially imported into the Council for the purpose of that debate made a long speech, as long perhaps as the one he had made on a previous occasion, introducing new points of a very contentious nature, and the poor mover of that resolution had no opportunity of meeting his points. Therefore Government had its own way, among other reasons of course one being that Professor Ruchi Ram had no opportunity of meeting the points which the expert of the Government had raised in his speech. I think this procedure to be unfair to the private members of this House. I am aware, Sir, that in other Councils also a similar practice prevails, but as the constitution of this country is still in its infancy, the mere fact of the prevalence of the procedure in other Councils should not be a bar in the way of any amendment that any member of this House may seek to introduce into the Standing Orders. We are all politically and constitutionally speaking in our infancy and we have yet to grow. But I can anticipate an objection that even the Mother of Parliaments has perhaps this practice though I have not made myself quite sure on that point (I could not find anything in Erskine May), but even assuming, Sir, that the practice which is given in this Standing Order as it stands now prevails in the British Parliament, I am not prepared to agree that that procedure should continue in this country also. If this Council, though perhaps one of the junior most councils, can set an example by setting this Standing Order right in this important principle, I am sure other councils in this country will also follow it.

There are so many circumstances which distinguish the legislative bodies of this country from the legislative bodies of Great Britain. There the Government may legitimately have the last say on any subject that may come up for discussion because the Government represents the people. Any resolution which is moved there by a private member is really a resolution which is being moved against the people. Therefore the accredited representative of the people as the Government in that country is should have an opportunity to have the last say on any subject. I am sorry I cannot pay the same compliment to the Government in this country, I do not mean any rudeness or any disrespect, but I am only stating the fact when I say that the Government in this country does not represent the people. The Government in this country is here because it is here. (Laughter). If an adverse vote is carried in the House of Commons against the Government of the day, and if that adverse vote happens to be on an important point, the Government goes out. Government cannot stand for a day. Here, however, we may pass twenty adverse votes against Government, we have probably defeated Government at least on a dozen important occasions and still the Government is there. Not a hair of its head has been touched, not an inch has been yielded by Government on any point. Therefore the analogies of Great Britain do not apply to this country. If we had some extremists discussing this amendment of mine, they might say the Government does not possess the confidence of the people either. Not only is the Government not the representative, in the constitutional sense, of the people, but it does not even possess the confidence of the people and we find from the conduct of the representatives of the Government in this House that on many occasions they have behaved in a manner in which a Government appointed by the people will not have dreamt of behaving. We have found such obstinacy,

[Dr. Gokul Chand, Narang.]

such *aid* on the part of some of the representatives of Government that we cannot with justice to our conscience say that the Government does represent the people or that it possesses the confidence of the people. We cannot therefore rely upon the Government for the final say on any subject that may come up for discussion in this House. Thus, the Government there represents a majority not only of the members of the House, but also a majority of the people of the whole country, but here it represents nobody except itself. This procedure therefore is not to be followed in the interest of fair debate and free and independent reasoning. Therefore this amendment of sub-clause (3) of Standing Order 33 is of paramount importance. If the amendment is carried Government need not be under the apprehension that its point of view will not be presented to the Council. It will be perfectly open to the representative of the Government, the Finance Member for instance to get up and make a personal explanation or make a statement on behalf of Government. It will not be in the nature of a speech, it will not even be in the nature of a reply, but it will be an authoritative statement of the view of the Government as it would be formed after hearing not only the debate on the subject but also the reply of the mover. Therefore the Government need not have any qualms on that score.

The other amendment that I have moved is only of a formal nature and is purely consequential. In Standing Order 63 there is a reference to the duration of speeches and there are a few words which make reference to Government member having previously spoken. In view of the proposed amendment to sub-clause (3) of the Standing Order 33 those words have to be omitted.

Standing Order 63 reads :—

> "No speech on a resolution, except with the permission of the President, shall exceed fifteen minutes in duration :
>
> Provided that the mover of a resolution, when moving the same and the member of the Government to whose department the resolution relates when speaking for the first time, may speak for thirty minutes."

Now, Sir, you will see that if the amendment to Standing Order 33 (3) is carried, the words "when speaking for the first time" become absolutely unnecessary. Therefore this amendment is merely consequential. By the way it supplies another argument in support of my amendment. Just like the mover of a motion the Government also has a right to speak for half an hour and that is another privilege allowed to Government. If the representative of Government cannot put up its case within half an hour then certainly it should look for another advocate or counsel to put up its case. The resolutions moved here do not relate to any very complicated questions of law which require reference to any books ; they are generally on ordinary subjects of every day experience and the worthy representatives of Government here are quite competent to do justice to the case of Government in half an hour. Having this privilege of speaking for double the time that is allowed to an ordinary member of the Government, I do not think that they should also have the other privilege of making a second speech after the mover has spoken finally. I would therefore ask the honourable members of this House to accept the amendments that I have ventured to move before it.

Mr. President : The question is—

> "That the draft amendments be referred to a Select Committee."

The Honourable Sir John Maynard (Finance Member): Sir, I do not attempt to follow the honourable mover, Dr. Gokul Chand Narang, into his discussion of the representative character of the Government. On that point, I will only draw his attention and the attention of the House to this fact that the particular instance which he selected for emphasising his argument, namely, the discussion on hydro-electric scheme is actually a case in which the Government may fairly claim to be representative. I think when he brought forward this particular instance of the non-representative character of Government, he must have been temporarily oblivious of the fact that the hydro-electric scheme is a transferred subject dealt with by the Minister who is himself an elected member of this House and who depends upon and ordinarily obtains a majority of this House to support him in his proposals. For my own part, Sir, it is not a question whether Government in that particular instance was a representative one or not, but I am simply putting to this House this consideration and I rely upon its decision to cast out or reject the proposal which has been placed before it. When I, or any other Government member speaks to this House, he speaks to persuade the House, he speaks to give the House information. That is not the pose of the autocrat, but it is the pose of one who desires to put himself upon an equality in all respects, who desires to convince and who desires to communicate such knowledge as he possesses to the Council and it is not the pose of one who wishes to use his autocratic authority for the purposes to which Dr. Narang has taken exception. I, therefore, rely entirely upon the desire of the House to permit the members of Government to endeavour to persuade the Council and I rely upon the willingness of the House to listen to such information as our expert knowledge may enable us to convey. In the absence of this right of reply of which Dr. Narang desires to deprive us at present, it may theoretically be the case in his opinion that the Government member has a sufficient opportunity of convincing and of giving such knowledge or information as he possesses to the House, but there is a reason why, without a reply the full function of persuasion and the full function of giving true and correct information to this House cannot be appropriately exercised. Supposing that the Government member delays too long in making the one speech which he will be permitted to make if Dr. Narang's motion to amend the Standing Order is accepted. In that case, if he delays too long there is the possibility of the closure being moved and thus the Government member may be deprived of the right to speak altogether. Such things have happened before and they have happened to me in one of those cases in which it was not permissible for the Government to give a reply at all. But apart from that extreme case of lack of opportunity owing to the moving of the closure of the debate, let me point out that there is this further possibility, that if the Government member speaks at too early a stage in order to ensure that he shall have an opportunity of putting the facts before the House, he will not necessarily be able to deal with the whole range of the arguments, because he will not have heard them. Therefore, Sir, I appeal to this House to do nothing to deprive us of that modest function which we seek to exercise for the benefit not only of this House but for the benefit of the administration and the well being of this province, namely, the function to endeavour to persuade as equals, and not as authorities, and to give information as experts (Applause).

Mian Abdul Aziz [Lahore City, (Muhammadan), Urban] (Urdu): Sir, The question before the House is undoubtedly very important. As a matter of principle we should not insist on this that there should be made no

[M. Abdul Aziz.]
amendment to the Standing Order. It is not an amendment to be made in some holy book. Therefore, I fail to understand why there should be any opposition at all. Sir, inspite of the fact that this Legislative Council, as it is called, makes laws which the courts are bound to enforce, I am surprised to see that the existence of the Standing Order to which this amendment is proposed, violates that very principle which the law of the land has already established. I think that the Honourable Sir John Maynard might have very often observed during the discharge of his judicial functions that the plaintiff puts in his claims and the defendant replies to all the points raised by the plaintiff in his arguments. The plaintiff is then entitled to reply to the arguments advanced by the defendent in his defence. This procedure is not only restricted to the civil proceedings but it equally applies to the criminal proceedings as well. An appellant prefers his appeal and advances his argument, Government Advocate then argues after which the appellant has the right to reply to the arguments advanced by the Government Advocate and there the whole matter ends. But, Sir, if we on equitable grounds, go on allowing both parties to say their say in turn the proceedings will never terminate. Therefore, I submit that there should be some rule to be observed in this connection.

Again, Sir, the Honourable Sir John Maynard has remarked that Dr. Gokul Chand Narang was not right in referring to the Mandi Hydro-Electric Scheme in support of his contention that the Government should not have the right of reply after the mover has once exercised his right of reply. As to this I would submit that it is quite immaterial if that particular instance is correct or otherwise. Here the question before us is of principle. We should see if it is proper to give the Government members a right of reply or right of last word after the proposer has actually exercised his right of reply In my opinion it is quite unjust and unfair. The Government member moving any resolution, etc., may say whatever it likes while exercising its right of reply once but after when the mover has actually exercised his right of reply it has absolutely no right then to say anything by way of reply. Hence I submit that the proposed amendments should be adopted. As a matter of fact, when one of the honourable members places his motion before the House he has to give reasons in favour of his motion in order to induce the House to vote for it. The Government member on the other hand may oppose it and refute the arguments advanced in favour of the motion by its mover. Naturally after this the mover ought to reply to the new points raised by the Government while opposing the motion. But if the Government is given the right of reply again, it would be nothing but to give the right of last word to the Government member on all occasions, and as the last word carries the weight, therefore it means giving unfair advantage. Therefore, Sir, I request the House to accept the amendment which I consider is an important one. We do realise the difficulties of the Government in this matter which its members would feel. But we also know how difficult it is to convince the Government block of the usefulness of a motion? We have often seen that the Government members are not moved at all in favour of a clearly useful motion by even our most sincere efforts. Therefore, we cannot allow the Government members to enjoy a privilege to which they have no right at all and which they often make use of in defeating our lawful objects. I, therefore, support both the amendments moved by my honourable friend Dr. Gokul Chand Narang and hope that the Government members would also accept them. Sir, I would

welcome the day when the Government comes with a clear and unprejudiced mind to consider a non official motion. Let the Government accept the proposed amendments to-day and prove this is the day which I wait for or let the official benches prove at least once that they are not so prejudiced as to oppose each and every private useful proposal or resolution.

Sardar Jodh Singh (Sikh Urban): Sir, the point that has been raised by the honourable member is whether the mover of a resolution or who starts a debate is entitled to the last reply or whether it should always be the Government member who should have that right. In a debate the mover always lays the case before the House and then, I admit that one of the members on the Government benches has a right to lay information from the view point of Government before the House in order that the debate may take a proper course, because the information given to the House by the mover may not be complete in all its respects. But the point that has been raised by the honourable the Finance Member I am not able to follow. He said that if a closure is moved, the Government member cannot have the right of reply. The present procedure, if I understand it correctly is that when a closure is moved then the mover has a right of reply and the Government member also after him. Now what we want to do is, if the closure is moved, to let the Government member if he has not already spoken, speak immediately after the closure motion is carried. The argument of the Honourable Finance Member can be met by this arrangement. The mover of the resolution can then give a reply after the Government member has spoken.

3 P.M.

Mr. President: I may point out that this is not the amendment moved by Dr. Gokul Chand Narang.

Sardar Jodh Singh: This is my suggestion and if the Government are prepared to accept it Dr. Gokul Chand will accept it.

Dr. Gokul Chand Narang: Certainly.

Sardar Jodh Singh: Otherwise logically the Government has no right to speak after the proposer has exercised his right of reply, because the right of reply is simply exercised for answering the objections that have been raised. In his right of reply the mover cannot raise any new points. I therefore fail to understand what the Government member is going to reply to. He will have answered all the points raised in the course of the debate in his speech before the last reply of the mover and also put forward the Government view point of the case. I do not understand when full debate has taken place why the Government member should again exercise his right of reply when the mover of a resolution in his second speech simply replies to the objections raised to his proposition (Hear, hear). There are certain short comings in the amendment of my friend and therefore I would suggest as a compromise to the Government and to the honourable member who has moved the draft amendment.....

Mr. President: This is not the stage at which any suggestions or amendments can be made.

Sardar Jodh Singh: I do not propose any amendment. I am making a suggestion for the consideration of the Select Committee. If the Select Committee agrees to adopt my suggestion I think I have a right to make the suggestion. (Hear, hear). Therefore, Sir, my suggestion for the Select Committee is that both the points of view can be reconciled by amending the

[Sardar Jodh Singh.]

standing order in this way, namely, that when a closure motion has been carried and the Government member has not spoken his should be the first speech and then the last speech should be of the mover.

Khan Bahadur Shaikh Abdul Qadir [West Punjab Towns (Muhammadan) Urban]: Sir, I am afraid that in the amendment that has been moved by my friend Dr. Narang and which has been supported by two other members one thing has been lost sight of and that is the difference between a debate in a Council or an Assembly constituted as this Council is and a debate in a court of law (Hear, hear). In a court of law there are two parties, one party begins the case, the other party replies and then the party that began the case gets a right of reply. My honourable friends who are experienced advocates lost sight of the fact that in the Council when a debate is opened by the mover of a resolution it is contemplated that there may be an unlimited number of speeches on the question both for it as well as against it. The whole Council gets the fullest advantage, not only of the views of two advocates arrayed on opposite sides, but of a number of members representing different points of view. The whole question is fully thrashed out and then it is left to the commonsense of the House to decide which view to adopt. In this procedure there cannot be any real analogy to the procedure in the courts of law. It has been pointed out by my honourable friend the mover of the amendment himself that he finds that not only he has not got a precedent for his amendment in the various Councils of this country, but so far as I know he is not able to point out any precedent in the Mother of Parliaments. He only wants to distinguish the present case by saying that the Parliament in England is different from the Councils here because the Government here is differently constituted compared with the Government in Great Britain and the conditions prevailing in England do not prevail here. He suggests, therefore, that a new procedure should be adopted for this country.

Professor Ruchi Ram Sahni: On a point of information, Sir, can the honourable member say definitely (voices of "order, order") I ask if the honourable member who is speaking is certain that in the House of Commons.....

Mr. J. M. Dunnett: Is this a point of order, Sir?

Professor Ruchi Ram Sahni: I ask for information, Sir.

Mr. President: I think the honourable member is in order in asking for information with the permission of the Chair.

Professor Ruchi Ram Sahni: What I want to know is if the honourable member is certain that a different practice is adopted in the House of Commons.

Khan Bahadur Shaikh Abdul Qadir: So far as the question put by the honourable member is concerned I do not feel called upon to answer it (Hear, hear). It is for Dr. Narang to take up a definite position. He has himself argued on the assumption that such a procedure exists in the Mother of Parliaments.

Dr. Gokul Chand Narang: No, Sir (Cries of "order, order"). I did not say that that procedure was followed in the House of Commons. I said, even if it does, we stand in a different position.

Khan Bahadur Shaikh Abdul Qadir : That is his assumption that even if it does exist, we stand on a different footing. I was very careful in the words that I used in this behalf. I was simply saying that my learned friend was not sure of his ground, nor am I any surer. But taking that assumption, I say that this argument is rotten. Our Councils are yet in their infancy and all the laws we abide by and the methods or procedure we follow, are borrowed from the Mother of Parliaments. Without sufficient trial of the existing procedure and admittedly without sufficient knowledge of what is going on elsewhere in this respect, my learned friend wants us to amend our Standing Orders, which are in line with the procedure adopted in other legislative councils in this country including the Central Legislature. I do not think we are in a position to start giving tips to the Central Legislature. Let us at least wait till the Central Legislature has felt the necessity of altering this procedure. This is not all. This is simply with reference to the arguments advanced by my honourable friends. My real point is what I mentioned at the outset, that the analogy on which they are arguing is not applicable and for that reason the amendment is not sound in principle. The principle underlying the present provision in the Standing Order has been explained by the Honourable the Finance Member, that is when the Government member has to speak on the subject under debate, he may bring into discussion the whole range of the debate and there may be nothing left which may not be dealt with by him or on which he may not be in a position to give the necessary information to enable the House to come to a correct decision. That is the real object of giving the Government member the right to make the last speech. In debates started by private members, what happens, as we all know, is that a considerable number of members speak, some for the motion and others against the motion. The Government member has very often one speech. All that is contemplated here is that if he has spoken at an earlier stage of the debate, he may at the end be able to discuss what has been said by so many others and what really calls for a reply. What often happens is that he does make only one speech. There is only the possibility of two speeches contemplated here. It is not that as a rule two speeches are made. A reference was made by the honourable mover to an instance in the immediate past, but that instance, to my mind, furnishes him with a very weak argument and I think, he is fully conscious of that fact himself. He was referring to a recent debate in this Council in which he says that the honourable member Lieutenant-Colonel Battye, when getting up to reply a second time, introduced good many new arguments into the debate to which the mover of that debate had no occasion to reply. Well, I do not quite remember if this was so, but I am prepared to concede at once that if Lieutenant-Colonel Battye did introduce any new matter into the final argument, which the mover had no occasion to reply to, that was not fair. That is an accepted rule according to all canons of debate. But that solitary instance which my honourable friend has been able to cite cannot furnish a ground for amending the Standing Order which has been working satisfactorily both here and in other legislatures in this country. I do not think that any good case has been made out by the mover to refer the draft amendments to the Select Committee.

Sayad Muhammad Husain [Montgomery Muhammadan) Rural] (Urdu) :—Sir, the present practice in this House is that when a mover moves his motion a discussion is allowed thereon and after the discussion is over the mover is given another chance of speech and after him the Government member to whose department the matter relates exercises the right of final reply

[Sayad Muhammad Husain.]

whether he has previously spoken in the debate or not. The amendment of my honourable friend Dr. Narang means that this right of final reply should not be conceded. This Council consists mostly of zamindars who are simple men and who are neither lawyers nor experienced executive officers such as the Government does consist of. They cannot even express themselves more elaborately. Sir, this voiceless group of zamindars should have a potent voice and that can be achieved if this innocent amendment is allowed to get through. As my honourable friend Sardar Jodh Singh has rightly remarked it is only the mover who should have an opportunity of having his final say. But under the present circumstances we do not find that there is any chance of final reply for the non-official movers of resolutions or other motions but on the other hand the Government is fortunate enough to have the same. Sir, it is owing to this practice that some of the most important resolutions of the zamindars are lost. I respectfully ask my honourable friends, the zamindar members, to think over this matter. They should not oppose this motion because it goes against the Government or that it has been moved by Dr. Gokul Chand Narang. Sir, we are also human beings. We have got feelings and sentiments. We should not hesitate in ventilating our sentiments. The amendments are wholly and solely meant for the benefit of zamindars. If this motion is carried the position of the zamindars will be strengthened and if zamindars are bent upon opposing this reasonable and innocent amendment, I may point out that they will be cutting their own throats.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan) Urban]: Sir, one is surprised at the amount of opposition that the Government is raising against such a simple amendment as the present one. In every political body, it may be the Indian National Congress, or it may be the Muslim League and I think they have all been attended by my honourable friend Shaikh Abdul Qadir, what do we find? The mover of a proposition has always the right of reply and he has the last say on the proposition. I am really surprised, Sir, that a lawyer and an *ex*-Judge like my honourable friend Shaikh Abdul Qadir should come and tell us that that analogy about Criminal and Civil Courts does not hold good in this case. Sir, this council is a political body, as much a political body as the National Congress or the Muslim League and there is no reason why the affairs here should be conducted in a way different from that followed in other political assemblies. My honourable friend was telling us that this procedure was not followed in the Mother of Parliaments. Well, Sir, the Mother of Parliaments may be old fashioned. Ours is a daughter Parliament and we do not want to follow the old fashioned methods of our Mother Parliament. We are not going to be toadies and we are not going to slavishly follow the Mother of Parliaments in every respect. Let us conduct our business in a way which suits us best. If we are to follow the Mother of Parliaments, why not we follow her in all respects? We must also follow her in self-Government. But there, our friends will say that we must not follow. There is no use of following the English practice where it suits the Government and discarding it where it does not suit the Government. What is after all the objection against the amendment proposed by my learned friend Dr. Narang. I thought that my honourable friend Shaikh Abdul Qadir while opposing this motion would give some very excellent reasons why we should reject his amendment, but I am sorry to find that he has not advanced any good reasons why we should not follow the ordinary procedure followed in all political assemblies. He has

not touched upon this point at all. He has not considered the practice followed in the National Congress and in the Muslim League or for the matter of that in any political body at all. He said that the Central Legislature had not yet felt the necessity to change the procedure. But my submission is why should we always look to the Central Legislature or to any other Legislature to move in the matter? Are we always looking to the Central Legislature for guidance? We are not bound by what is followed in the Assembly in Delhi or Simla. We are going to do in Lahore just as we want and we shall not bind ourselves to the procedure followed in other Councils. Why not we set an example for other Councils to follow?

What is the position taken up by the Government? When the Government member moves a resolution, the Government say that they should have the right of reply and this is a position which we can well understand. But if a non-official member moves a resolution, there also the Government say that they should have the last say in the matter even in this case. This is a position which I am at a loss to understand. The Government members are not small babies to require special protection in this House. They are like other members of the House. When they move a resolution they must have the right of reply and if we, non-official members, move a resolution we must have the right of reply for the simple reason that the Government may not lay all their cards on the table. According to the present rules, the Government may at the last moment throw something like a bomb-shell before us which we may not be able to resist by counter-attack. Last time Lieutenant-Col. Battye made such a lengthy speech on a very technical subject, namely, the hydro-electric scheme, that I was not able to understand what he was talking about and in that case, if only my honourable friend Professor Ruchi Ram had the right of reply he might have met all the arguments raised by Lieutenant-Col. Battye. The rules as they stand do not provide for a reply even in such extremely technical cases as the one I have just referred to. The mover must have a right of reply, because the Government may have something up their sleeves and they might always advance some new argument at the last moment which the mover has no opportunity to answer and thus defeat a proposition. A non-official member who has taken all the trouble to espouse the cause of zamindars in a particular resolution may lose his whole resolution because of this right which the Government possesses. In courts, in all civil cases and in all criminal cases, in all political bodies and in fact even in any kind of assemblage where you argue amidst a few friends, the right of reply always vests in the persons who initiate the proceedings and there is no reason why we should deny ourselves this right of reply. It really amounts to denying ourselves what is due to us legitimately. It is not that somebody else is going to benefit by this. We are depriving ourselves what is legitimately due to us. As has been pointed out very eloquently by my honourable friend Mian Abdul Aziz it is absolutely necessary that the member who moves a proposition should know each and every point raised by the other members before he is called upon to reply. His must be the last say in the matter. The Government have got experts at their hands and they are always prepared for all emergencies. It may be that many members have spoken both for and against a resolution and in the interval, the members may have been misled by the various points raised both for and against the resolution, then it should be given to the mover of the proposition to rally all the points and to marshal all the facts and explain the whole situation and thus show

[Sh. Muhammad Sadiq.]
to the House what is the real object of the motion under discussion. Then, Sir, as regards, the procedure in the Mother of Parliaments, my honourable friend Dr. Narang asserts that he did not assert that this was the practice in the House of Commons. I like Shaikh Sahib understood Mr. Narang to say that it did exist in England, so this very incident helps my point, because unless you give a mover the last right of reply he may lose the right of correcting misunderstandings. Our point is, whether it exists in England or not, here the Government should not be allowed to have the right of reply in the case of a subject initiated by a private member. The member who opens the debate must have the right of reply after every one has spoken so that he may be able to clear up all the doubts and misunderstandings raised by other speakers.

Professor Ruchi Ram Sahni (Punjab University): Sir, I confess I did not expect the Government to oppose a motion so reasonable as the one that has been moved by my friend Dr. Gokul Chand Narang. Least of all was I prepared for the sort of speech that was made by the leader of the House on behalf of the Government. Sir, it is really very strange that he should be taking shelter under the plea that the Hydro-Electric Department is a transferred subject, and that, therefore, the instance which Dr. Narang gave was the worst example that could have been cited in support of his contention. If the Honourable the Finance Member would go and seek election, and, if every one of the 22 members who solidly vote with the Government irrespective of whether they believe one way or the other..... (Cries of "Order, order"). I do not think I am far wrong when I say that they vote solidly with the Government whatever their personal views may be, because some of them have confessed this fact to me. Now, I ask, Sir, is that the sort of argument that is to be placed before us, namely, that this is a transferred subject? If the members who now vote solidly with the Government were elected members, then there would have been something to be said from that point of view.

Then, again, Sir, he sought refuge in another plea and that was that in a subject like the one which was referred to, namely, the Hydro-Electric Scheme, it was necessary to have an expert to give a reply to the mover. Well, Sir, the expert could have spoken earlier. He could have spoken immediately before the mover of the resolution rose for reply. As that expert was given the opportunity to say the last word on the subject, the mover of the resolution was prevented from controverting many of the things which he stated. If it is necessary for an expert to speak on behalf of Government in order that he may throw light on the subject, is it not also necessary for some one else, who is not an expert, but who had studied the subject a little bit more carefully than the rest, to have the last say on the subject? It was all the more necessary with such a subject of a technical character as the Hydro-Electric Scheme, that the mover of the resolution should have had the last say, because the other members who spoke on the resolution were novices. It is, therefore, necessary that the mover should be given the opportunity to say the last word on the subject in order to reply to the criticism and place his point of view before the Council fairly and squarely.

Again, Sir, I want to refer to the subject to which I referred in moving my resolution and that is the subject of patronage. Only the other day I overheard a member of Government representing an important department telling the zamindar members at a party gathering "Look here, if you vote for Ruchi Ram....."

The Honourable Sir John Maynard: I rise to a point of order. Is the honourable member in order in referring to what he overheard at a party?

Professor Ruchi Ram Sahni: Last time I made a reference to this particular question. I referred to.....

Mr. President: I do not think that is a reason for depriving the Government member from having the final say. The honourable member will please confine his remarks to the point immediately before the House.

Professor Ruchi Ram Sahni: I want to point out most definitely that Government having so much patronage in their hands, as to win over other members to their side by speaking to them, it is not desirable that they should have the last word, because some of their remarks made when making the last speech will go uncontroverted, not because they are incontrovertible, but because no opportunity is given for controverting them.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan) Rural]: Sir, I am simply surprised at the speech delivered by my friend Shaikh Abdul Qadir and the arguments that he advanced in opposing the motion for reference of the amendment to a Select Committee. One of his main arguments was that the debate in the Council is not on the same footing as the debate in a court of law. He said that here in the Council everybody gets the fullest opportunity of giving expression to his views, while in a court of law a lawyer is engaged to speak on one side and another lawyer is engaged on the other. If that is an argument, it is one in favour of the amendment moved by Dr. Gokul Chand Narang. For while the discussion is going on, the Government can give expression to its views at any time during the course of the discussion and it need not wait till the last moment. I am surprised at the argument advanced by Shaikh Abdul Qadir.

Then, Sir, he said, the procedure that we are borrowing is taken from the Mother of Parliaments' procedure. My reply to that would be that here we are not setting up the same conventions as are set up in the House of Commons. We know in the House of Commons the speaker never becomes a Minister (Hear, hear). Here in India we find in various cases the Speakers being translated into Government departments or becoming Ministers. So, that analogy, I am afraid, does not hold good. We have to see what suits best according to the circumstances of our own province or our own country. Therefore we are justified in laying down conventions or rules for our guidance which I may say may also be followed by the Mother of Parliaments.

The next argument was, and here he was giving perhaps some experience of his when he was the President, that when a Government member is giving his reply he cannnot raise a new matter in his reply. If that is a fact, then where is the need for Government member to give his reply at the last moment? My submission is that there is no justification for the Government member to speak at the last moment. He should place all the information, he has, before the Council, during the discussion.

Then, Sir, the Honourable the Finance Member apppealed to the House that the Government members do not want this right on account of an authoritative position on the subjects coming up for discussion and he pleaded for

[Pandit Narak Chand.]

equality. There is one view which the Government has of equality and there is another which men possessing commonsense have got. When a Government moves for a grant it must have the right of reply at the last moment. When a private member moves any motion or resolution, then also the Government should have the right of reply at the last moment. Is that the view of equality? By equality I understand that all members whether private, elected, official or non-official should be in the same position. When Government moves a resolution Government is perfectly entitled to have the last say on it and when a private member moves a resolution that private member ought to have the last word on the subject. That is what we understand and what orrdinary persons understand by equality. I am afraid I cannot subscribe to the definition of equality given by the Leader of the House.

Another reason that was brought forward by him was that the Government should have an occasion furnished to it to offer information to the House. Sir, Government must be in a very sorry state if during the whole course of discussion it is not prepared to put forward its own case or is not able to give information which it has got with regard to any particular motion moved by a private member. The time for the Government to give its information and lay its cards on the table is when the full discussion is going on and not at the last moment. It is not fair for the Government to give the information at the last stage of the discussion and thus deprive the private member who moves the resolution of an opportunity of replying to the points raised by the Government. In this House the Government does get the right of speaking and no member who has opposed the present motion has been able to quote any instance where the Government was not given any opportunity to speak and press forward its arguments or to give information. My conclusion therefore is that the arguments that have been brought forward by those gentlemen who oppose the present motion are untenable. This is a matter, Sir, on which we feel that often when a private member moves a resolution the Government is in a very advantageous position and it is able, on account of the right which it has got, to raise new points and no opportunity is afforded to the member who moves the resolution to reply to the criticisms of Government.

One other argument was used by Shaikh Abdul Qadir, namely, that this rule is followed in the other legislatures too. The rules were made alike for all provinces and I think every other province will follow the Punjab if this rule is amended in the way in which we seek to amend it.

Sardar Tara Singh: Sir, I beg to move:—

"That the question be now put."

The motion was carried.

Dr. Gokul Chand Narang [North-West Towns (Non-Muhammadan) Urban]: Sir, if I am permitted I shall speak in Punjabi.

Mr. President: No.

Dr. Gokul Chand Narang: Very well, Sir. I shall continue in English. The Honourable Sir John Maynard raised two points against my amendment; one is that if the Government member has spoken early in the debate, he may not be able to meet the points raised by other speakers during

the course of the debate. My reply to that is that Sir John Maynard is not the only representative of the Government sitting in this House. There are about 16 or 17 members who eat the salt of the Government and who can be relied upon to make up any deficiency that the Leader of the House for the time being might have left in the course of his speech. So that argument has really no force. Every member of Government possesses sufficient ability to supplement the arguments of the Leader of the House if there be any necessity.

Another apprehension which the Honourable the Finance Member expressed was that the closure might be moved before the Government had had any chance to reply. Well, Sir, with due deference to my honourable friend, if I may so describe him, I may say that his apprehension is not supported by the experience of this Council during the last five years. So far as I remember the Government side has never remained unrepresented. His reference to one mishap was not in accordance with the usual procedure followed in this House. He did not explain in detail what that instance was, but probably he referred to the motion for adjournment which was made in this House on which the Government representative was not heard and he was not heard because he did not stand up in time. One swallow does not make a summer and this was only in the nature of an exception and so that mishap cannot be relied upon as a precedent. My honourable friend ought to be familiar with Standing Order 85 (1) which says :—

> "At any time after a motion has been made any member may move : 'That the question be now put' and unless it appears to the President that the motion is an abuse of the rules or these Standing Orders or an infringement of the right of reasonable debate, the President shall then put the motion 'That the question be now put.'"

I think, Sir, a President of a Legislative Council such as this may be relied upon to know whether the right of reasonable debate is being infringed or not by a motion for closure and my honourable friend should have no fear on that ground. No closure would be allowed unless reasonable opportunity had been given to both sides of the House for discussing the question thoroughly and no closure would be allowed just as none had been allowed in the past unless the Government member had had his say on the matter. Therefore that apprehension also is not well founded. Besides, that apprehension, that possibility, if there be any such can also be removed by changing the language of my amendment in the Select Committee so as to remove that difficulty. It should be remembered that I am at this stage not moving that my amendments should be carried but that they may be considered in the Select Committee. Now, it is sought to deny me even the right of my amendment being considered by the Select Committee. On a very important measure which we discussed during the last session, the Government was very voluble in saying that it did not ask the House to carry that measure. The Government said : All that we ask you to do at the present moment is that the measure may be referred to the Select Committee. All that I am now asking you, Sir, at the present moment is that my amendment may be referred to the Select Committee. You may thoroughly discuss it, you may modify it, you may change it altogether if the Select Committee thinks any important changes are necessary in the language of the amendment. As my honourable friend Pro-

[Dr. G. C. Narang.]

fessor Ruchi Ram pointed out, it is really surprising that even this motion, that the amendments may be referred to the Select Committee is being so vehemently opposed by the Honourable the Leader of the House. The Government say that they should have the last word to say on any resolution but we cannot expect in the present mood of the Government mind any fairness or any reasonable behaviour on the part of the Government (*Voices from the Government benches No, no*). My honourable friend Sardar Jodh Singh threw out a suggestion and if only the Honourable the Leader of the House had not stuck fast to what he said and if only he had been a little more compromising in his attitude towards this motion, he would have accepted that suggestion. But that suggestion is still open. The matter is going before the Select Committee and I am sure the Honourable Leader of the House would be on that Select Committee and he will have perhaps the most potent voice so far as any modifications in these amendments are necessary.

Then, Sir, I come to the speech of my honourable friend Shaikh Abdul Qadir, who used a word which might redound to his honour and glory as long as the records and annals of the proceedings of the debates in this Council are in existence. He paid me the compliment that my argument was rotten. I do not want to pay him in the same coin because I have too much respect for him, and with due deference to him I should say that I have a better idea of the dignity of this Council than what my learned friend perhaps has. Now to come to the merits of his argument, he said that I was not aware of the procedure of the House of Commons. In fact from what he said it appears that I admitted that the procedure in the House of Commons was that the right of reply is given to the Government and yet I wanted this House to give tips to the Mother of Parliaments. His premises were wrong and even on the assumption I had made he was not able to meet my argument.

Khan Bahadur Shaikh Abdul Qadir: I never said tips to the Mother of Parliaments; I said tips to the Central Legislature.

Dr. Gokul Chand, Narang; Well, I take the explanation. It is all the same, it does not make any difference. In my opening address, I said I had not been able to find out anything to guide me in *May's Parliamentary Practice*, but I have been more fortunate this time. At page 314 of the thirteenth edition, I find this passage:—

> "A reply is only allowed to the peer or the member who has proposed a substantive question to House."

There is no right of reply allowed to anybody else. So that from this also it appears that the procedure in the House of Commons is that the right of reply is only conceded to the mover of a substantive proposal and not to anybody else whether a minister or anybody else. Then again my honourable friend said that we were borrowing from the Parliament. But the fact is that we want to adopt from the Parliament, what is suitable for us. I am not at all a borrower. I do not take this in the light of borrowing from the Parliament. This is something which is being imposed upon us and we have to take it as it comes. If we have the power, if we have the will to make any changes or to effect any improvement in what is imposed upon us, that right should not be denied us simply because the House of Commons is in a predominant position and is in a position to dictate and to impose measures upon us even against our will. Even if I am a borrower I would not be a

mere copyist or an imitator as my honourable friend would want us to be. I want to adopt not borrow. If we are simply to borrow, we might be reduced to the position of an Indian woman who may adopt the English hat and go about in Indian undergarments. If an Indian woman does so, it would be a caricature of a female being: so that if we want to borrow, we shall only borrow that which suits us and we shall not make a caricature of ourselves. My submission is that we are taking from the House of Commons as precedents things which would suit us. If we are given the power to take only what we want and not accept what is given to us, if we are in a position to frame our own constitution, then we shall pick and choose what is best for us. At the present moment we have to take what is given to us or rather what is imposed upon us and if we can refuse with success to take something that is offered to us and if we can modify what is laid before us, then certainly my honourable friend should not stand in the way of our modifying or amending suitably to the needs of our country. I am therefore not ashamed of being even a borrower with discretion. It is only indiscreet borrowing which my learned friend wants us to indulge in that we are to be ashamed of.

Before I sit down, I would only point out to the honourable members of this House that I am not asking at the present stage that the amendments should be carried. All that I am asking is that they may be referred to a Select Committee and they may be modified, if need be, according to the requirements of the House. I shall not insist, like the representatives of the Government that the words that I have spoken should stand unmodified and must be carried. We are not in a position to be so obstinate as the representatives of the Government. It is open to the members of the Select Committee to make the necessary changes. With these remarks I hope and trust that this innocent motion to refer the amendments to a Select Committee will be carried unanimously by the whole House including the members of the Government if even at this eleventh or twelfth hour they can rise to the occasion and be fair and reasonable as some members of the House have hoped for.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, the point is a fairly simple one, and I did not expect that it would rouse such a heated discussion as has taken place for nearly two hours. The motion seeks to amend the existing Standing Order as to the right of Government to have the last word in the Council. I understand that it is conceded that for this proposal there is no precedent in India. But it is claimed that there is no reason why the Punjab Legislature should not have the honour of improving upon the existing procedure in the legislative bodies of India. I, Sir, for one would be quite willing to share in working for that position for this legislature that is to say to secure the honour of being first to introduce an improvement in the existing Standing Orders. I will, however, with your permission, Sir, just examine for a moment whether the claim which is made is justified or not. The arguments adduced in support of the amendment are firstly that it is just and proper, and that it fits in with the notions of justice as there is the analogy of the law courts. Those honourable members who supported the amendment on the ground of ideas of justice, I believe, had in their mind the idea that justice corresponds with the law on the subject. The law on the subject is to be found in the various enactments which they are in the habit of interpreting every day. But if you will bear with me for a moment, Sir, you will see that the law in the present case is the Standing Order and justice in the case of

[Hon'ble Mian Sir Fazl-i-Husain.]

that enactment is that there should be the right of reply allowed to the Government. Therefore I fail to see how the appeal to the Council on the basis of notions of justice can help the mover.

4 P.M.

Let us now take the second argument—one on broader principle of fair play. Is it just that the person who has begun should have the last word? I should have thought that it would fit more with the Punjab spirit to say that if you have given me one blow you should be prepared to receive one blow in return. If you propose to give me a second blow, why do you avoid the second blow from me? That is not fair. That does not fit in with my notion of fairplay. Don't say "Let me give you two blows but you should not give me more than one." I do not see why the proposer of a motion should have the privileges of giving two blows and the defender should be allowed only one.

Well, Sir, the third argument urged was "Here is the Government, wooden, autocratic and unmoved. We, members, particularly the rural members want something done and there is the Government which is very eloquent and determined not to concede any point. We poor fellows do not know how to understand. Therefore it is right that we should have two speeches and Government should have only one." That honourable member who made these remarks forgot that the Government occupying these benches consists of two parts, the transferred part and the reserved part. The transferred part represents the rural party and to say to the rural members "Don't allow your Ministers the right of reply" is to say "We do not trust yourselves". I do not see how that argument could possibly have been urged by that honourable member considering that he himself claims to be a member of that party.

As to the reserved part of Government, the position is that Government members seek to retain the right of addressing the Council last. Why? What is the reason for their desire to do so? The difference between this Council and the various august bodies to which the honourable member from Amritsar (Shaikh Muhammad Sadiq) referred, the Congress, the League, the Khilafat, the Tanzeem and the Sabha and so on, is perhaps not a very important one but still there is a difference. These institutions are deliberative assemblies, theoretical, and the affairs of the country are conducted on paper. When it comes to administering the affairs of the people, it is a matter of some importance not only to the members of this Council but to the people outside. Is it then right that the Council should be asked to arrive at a decision without the Government members who are responsible for the good of the people being allowed an opportunity of placing before the Council the facts and the views which they entertain on them? I consider that the motion, if it is really taken seriously, which I do not intend to do, really is one which one may go so far as to say is subversive of all order. To say that we will put you in power, we will fix you with certain duties and obligations towards the millions of people, but you should not have in the Council the right of defending the action you take outside," I say, Sir, that is a position which no country which is making for responsible Government should adopt. I trust that this Council will show its sense of responsibility by not agreeing to the proposal which may lead to that result.

It has been said that the Government has adopted very strong attitude, and most passionate appeals have been made by Government.

I do not know what is meant by saying that Government has adopted a very strong attitude. I, Sir, have listened to the most eloquent speeches from no less than five or six members seeking to change the Standing Order. I heard but one speech from the Honourable the Finance Member and another from Khan Bahadur Shaikh Abdul Qadir against the proposal. It reminds me of the Punjabi proverb :—

Meri vichari de sat ji te saunkan da iko vichara.

As regards the argument of the irresponsible 16, am I to understand that the allusion is made to the members who advocate wholesale obstruction irrespective of the merits of the point in dispute ?

Dr. Gokul Chand, Narang : These are the very things that require amendment.

The Honourable Mian Sir Fazl-i-Husain : These are very tempting sallies, and I generally resist temptation successfully, but now I was compelled by the honourable members occupying the opposite benches to indulge in them. It is a great temptation and I resisted it all the time, but they compelled me to say it as they again and again talked of the 22 or of 14 members and so on. It only shows that people who live in glass houses should not throw stones at others.

Mr. President : I may state for the information of the House that unlike the Bills, if the motion that the draft amendments to the Standing Orders be referred to a Select Committee is carried, the Council will not stand committed to the principle underlying the amendment. Let the honourable members understand this clearly. Now the question is—

"That the draft amendments be referred to a Select Committee".

The Council divided. Ayes, 24 ; Noes, 31.

AYES, 24.

Chaudhri Sahib Dad Khan.
Khan Sahib Chaudhri Muhammad Shah Ali Khan.
Sardar Jodh Singh.
Sardar Tara Singh.
Mian Abdul Aziz.
Sardar Randhir Singh.
Sardar Gurbakhsh Singh.
Chaudhri Afzal Haq.
Rana Firoz-ud-Din Khan.
Sardar Partap Singh.
Sardar Dhira Singh.
Shaikh Muhammad Sadiq.
Sayad Muhammad Husain.
Pandit Nanak Chand.
Dr. Gokul Chand, Narang.
Professor Ruchi Ram, Sahni.
Lala Sham Lal.
Lala Bodh Raj.
Rai Bahadur Lala Sewak Ram.
Lala Diwan Chand.
Lala Mohan Lal, Bhatnagar.
Mr. Labh Singh.
Lala Mohan Lal.
Chaudhri Ram Singh.

NOES, 31.

Mr. W. P. Sangster.
Colonel C. R. Bakhle.
Mr. C. A. Barron.
Mr. C. M. King.
Mr. H. W. Emerson.
Khan Bahadur Nawab Muzaffar Khan.
Sir George Anderson.
Mr. A. B. Astbury.
The Honourable Rai Sahib Chaudhri Chhotu Ram.
The Honourable Khan Bahadur Mian Sir Fazl-i-Husain.
The Hon'ble Sir John Maynard.
Mr. J. G. Beazley.
Mr. Miles Irving.
Mr. B. H. Dobson.
Mr. J. M. Dunnett.
Mr. H. W. Webb.
Mr. Owen Roberts.
Mr. J. Coldstream.
Khan Bahadur Shaikh Abdul Qadir.
Malik Firoz Khan, Noon.
Sardar Bahadur Sardar Jowahir Singh.
Khan Sahib Khan Muhammad Saifullah Khan.
Khan Sahib Lieut. Malik Muzaffar Khan.
Khan Bahadur Sir Sayad Mehdi Shah.
Sayad Husain Shah.
Khan Bahadur Nawab Muhammad Jamal Khan.
Lieut. Sardar Sikandar Hayat Khan.
Khan Haibat Khan Daba.
Chaudhri Ghulam Muhammad.
Makhdumzada Sayad Muhammad Raza Shah Gilani.
Chaudhri Duli Chand.

The motion was lost.

THE SIKH GURDWARAS (AMENDMENT) BILL.

Sardar Johd Singh (Sikh, Urban) : Sir, I beg to move :—

"That leave be granted to introduce the Sikh Gurdwaras (Amendment) Bill."

The motion was carried.

Sardar Jodh Singh : Sir, I beg to introduce the Sikh Gurdwaras (Amendment) Bill.

Sardar Jodh Singh : Sir, the next motion as printed in the agenda against my name is —

"That the Sikh Gurdwaras (Amendment) Bill be taken into consideration."

But I have received information from the Government that Deputy Commissioners have pointed out certain defects in the single member constituencies framed by me and the honourable Mr. Beazley from the records available at the head office. As arrangements have been made by amendment of the rules that even if the Bill is passed in the next session, the elections can take place under it, I therefore do not move the motion that is mentioned in the agenda. Instead I move :—

"That the Sikh Gurdwaras (Amendment) Bill be referred to a Select Committee."

Mr. President: The question is—

"That the Sikh Gurdwaras (Amendment) Bill be referred to a Select Committee."

The motion was carried.

Mr. President: Before moving the names of members of the Select Committee, the Council will be well advised to decide how many members it will have on the Select Committee.

Sardar Jodh Singh: Sir, I beg to move:—

"That the Select Committee do consist of 11 members."

The motion was carried.

Sardar Jodh Singh: Sir, I beg to move—

"That the following members do constitute the Select Committee:—

Sardar Tara Singh,

Sardar Gurbakhsh Singh,

Diwan Bahadur Raja Narendra Nath,

Professor Ruchi Ram Sahni,

Malik Firoz Khan, Noon,

Rana Firoz-ud-din Khan,

Mr. H. W. Emerson,

Mr. J. Coldstream,

The Honourable the Minister for Education,

Nominee of the Honourable the President, and

The Mover."

Mr. President: The nominee of the President is Sardar Mohinder Singh.

Mr. President: The question is—

"That the following members do constitute the Select Committee:—

Sardar Tara Singh,

Sardar Gurbakhsh Singh,

Diwan Bahadur Raja Narendra Nath,

Professor Ruchi Ram Sahni,

Malik Firoz Khan, Noon,

Rana Firoz-ud-din Khan,

Mr. H. W. Emerson,

Mr. J. Coldstream,

The Honourable the Minister for Education,

Sardar Mohinder Singh, and

The Mover."

The question is that that motion be adopted.

The motion was carried.

GOVERNMENT'S DEMAND FOR SUPPLEMENTARY GRANT, 1925-26.

MISCELLANEOUS (TRANSFERRED GRANT).

Mr. J. G. Beazley (Secretary, Transferred Departments) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 5,000 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Miscellaneous (Transferred)."

The motion was carried.

THE PUNJAB COURT FEES (AMENDMENT) BILL.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to introduce the Punjab Court Fees (Amendment) Bill. In doing so, I have only to say that this Bill does not change the law in any respect.....

Mr. President : I think the honourable member is not in order in making any speech at this stage. He will please move the next motion, namely that the Punjab Court Fees (Amendment) Bill be taken into consideration and then he will be in order in making a speech.

The Honourable Sir John Maynard : Sir, I beg to move—

"That the Punjab Court Fees (Amendment) Bill be taken into consideration."

In doing so, I have only to explain that this Bill does not in any respect change the law or the rates at which court fees will be levied. The rates which are to be levied are determined by section 5 of the Act of 1922. All that this Bill does or purports to do is to make a correction of certain arithmetical errors which occurred in the schedule which is appended to the Act as a species of ready reckoner. It will be seen that opposite to the figure of "720 Rs." in that ready reckoner, there has been an accidental omission of Re. 1 in the arithmetical table and that error has been repeated from the series the whole way down to "Rs. 1,000." That is purely an arithmetical mistake which this Bill seeks to correct.

Mr. President : The question is—

"That the Punjab Court Fees (Amendment) Bill be taken into consideration."

The motion was carried.

Mr. President : The question is—

"That clause 2 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That the title and the preamble stand part of the Bill."

The motion was carried.

The Honourable Sir John Maynard : Sir, I beg to move—

"That the Punjab Court Fees (Amendment) Bill be passed."

The motion was carried.

THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I move—

"That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill.

Mr. President : May I ask if any honourable member is opposed to leave being granted to introduce the Punjab Land Revenue (Amendment) Bill ? (Nobody opposing). The question is—

"That leave be granted to introduce the Punjab Land Revenue (Amendment) Bill."

The motion was carried.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I introduce the Punjab Land Revenue (Amendment) Bill."

THE PUNJAB PRIMARY EDUCATION (ENFORCEMENT) BILL.

Mr. J. G. Beazley (Secretary, Transferred Departments) : Sir, I beg to move—

"That leave be granted to introduce the Punjab Primary Education (Enforcement) Bill."

Mr. President : Does any honourable member wish to oppose leave being granted to the introduction of the Bill ? (Nobody opposing).

The question is—

"That leave be granted to introduce the Punjab Primary Education (Enforcement) Bill."

The motion was carried.

Mr. J. G. Beazley : Sir, I introduce the Punjab Primary Education (Enforcement) Bill.

Mr. J. G. Beazley : Sir, I beg to move—

"That the Punjab Primary Education (Enforcement) Bill be taken into consideration."

Mr. President : The question is—

"That the Punjab Primary Education (Enforcement) Bill be taken into consideration."

Professor Ruchi Ram, Sahni (Punjab University) : Sir, no one outside a certain place, which I need not name here, will oppose any motion which is calculated to increase and extend mass education. I rise, therefore, merely to make certain observations as regards the character the most inadequate character, of the Primary Education Act that was passed in 1919 and which the present Bill seeks to enforce. When that Act was passed here, at the same time in England Mr. Fisher's Education Bill was passed into an Act also. While here we had only a four years course constituting primary education, in England free and compulsory elementary education was enforced from the cradle to the youth. Mr. Fisher's Bill insisted upon the nation taking little children of two years in hand and sending them to nursery schools, while for children of from 6 to 14 years the education was made compulsory and free. Even after the age of 14, Mr. Fisher's Bill provided that in the case of poor students, they should be compelled to attend continuation schools at least for a certain minimum period of time up to the age of 18. That, Sir, was the character of the Elementary Education Bill as it was introduced and passed in England. Here in India, our primary course at that time consisted of five years instruction. But the five years

[Professor Ruchi Ram, Sahni.]

course was, against the wishes of the people, cut down to a four years course. Now, Sir, as regards this four years course, I wish to point out that, it is not only inadequate as regards the amount of instruction that can be imparted, but it is most unsuitable to the requirements even of the sort of people for whose benefit it is intended. It is not only inadequate, but we find that a very large percentage of boys who receive instructions are likely to lapse into illiteracy. The Government of India calculated, on the basis of certain statistics which they had collected that out of the students who received instruction for five years, something like 30 per cent. lapsed into illiteracy in a few years time. I leave to the Honourable the Finance Member and the Director of Public Instruction to put their heads together and find out the money value of the loss when 30 per cent. of the people whom they instruct in schools lapse into illiteracy. When this is the case with a five years course, what will be the percentage of the lapse to illiteracy when there is only a four years course, and what will be the money value of the loss? Sir, as a teacher I am only concerned with the loss of brain power . . . . . .

Mr. President: May I know how this is relevant to the Bill under discussion?

Professor Ruchi Ram, Sahni: We are asked, Sir, to take into consideration a Bill which seeks to legalise the Primary Education Act. My submission is that we should consider whether the Act itself is a proper one before we decide about legalising and enforcing it. I think it is a pertinent subject for discussion by the Council at the present stage. If, however, you rule it otherwise, then I will have nothing to say.

Mr. President: The honourable member should confine himself to the merits of the present Bill. He should not enter into a discussion as to the merits or demerits of the Act which the present Bill only seeks to amend.

Professor Ruchi Ram, Sahni: If you think that the merits of the original Act is not before the House, I have nothing more to say, because as I said before, inadequate and incomplete as that Act was, I have no wish to oppose it.

Mr. President: In that case the honourable member may bring forward an amending Bill. The question is—

"That the Punjab Primary Education (Enforcement) Bill be taken into consideration."

The motion was carried.

Mr. President: The question is—

"That clause 2 stand part of the Bill."

The motion was carried.

Mr. President: The question is—

"That the title and the preamble stand part of the Bill."

The motion was carried.

Mr. J. G. Beazley (Secretary, Transferred Departments): Sir, I beg to move—

"That the Punjab Primary Education (Enforcement) Bill be passed."

The motion was carried.

The Council then adjourned till 2 P.M. on Tuesday, the 12th January 1926.

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250 PLC—395—23-1-26—SGPP Lahore.

PUNJAB LEGIS LATIVE COUNCIL.

7TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Tuesday, the 12th January 1926.

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

QUESTIONS AND ANSWERS.

SHAH CHARAGH MOSQUE.

2514. Maulvi Mazhar Ali, Azhar: (*a*) Is it a fact that the offices of the District and Sessions Judges of Lahore and Montgomery are situated in a building which is called the Shah Charagh Mosque ?

(*b*) Is it a fact that this building was not erected by the Government but was constructed in the days of Emperor Muhammad Shah about the year 1716 A.D., by Nawab Khan Bahadur Khan ?

(*c*) Is it a fact that this mosque together with other mosques, for example, the Badshahi Mosque, the Nila Gumbad Mosque, the Sonehri Mosque, etc., fell into the hands of the Government after the fall of the Sikh Kingdom ?

(*d*) Is it a fact that the other mosques have been restored by the Government to their rightful trustees and custodians, the *Muslims* ?

(*e*) If the answer to the above be in the affirmative, will the Government please state whether it ever considered the question of restoring this mosque to the *Muslims* ?

(*f*) Has it come to the notice of the Government that there has been agitation amongst the Muhammadans regarding this mosque and pamphlets have been published and articles have appeared in the newspapers ?

(*g*) Does the Government propose to restore the mosque to the *Muslims* ? If not, will the Government kindly state the reasons ?

The Honourable Sir John Maynard: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready. But I am in the intermediate possession of information which will interest the honourable member, namely, that the Government bought and paid for the building in question.

CONSTRUCTION OF THE SHAHPUR CANAL BRANCH.

2515. Maulvi Mazhar Ali, Azhar: (*a*) (*i*) Is it a fact that the question of the construction of Shahpur Canal Branch was referred by the Government to a committee ?

[M. Mazhar Ali Azhar.]

(ii) If so, will the Government be pleased to state—

(1) the personnel of the committee ;
(2) the terms of reference ; and
(3) the time within which the committee was required to make its report ?

(b) Will the Government be pleased to state what work had been done by the committee up to the 30th of November 1925 and what work has been done after that date ?

(c) How long will the committee yet take to complete the enquiry ? What steps has the Government taken to make the committee expedite its report ?

(d) (i) Is it a fact that the proprietors of the private inundation canals have served notice on the Government claiming damages ?

(ii) If so, will the Government lay on the table a copy or copies of the notice or notices received ?

(e) (i) Has the Government replied to the notices ?

(ii) If so, will the Government please lay on the table copies of the replies given ?

The Honourable Mian Sir Fazl-i-Husain : The answer to this question is ready, but it is not before me now. If you will permit, I shall give the answer later on.

LAND REVENUE BILL.

2516. Maulvi Mazhar Ali, Azhar : (a) Will the Government be pleased to lay on the table a copy of the Land Revenue Bill which has been submitted for the sanction of the Secretary of State ?

(b) Will the Government be also pleased to state—

(i) when the Bill was submitted to the Secretary of State ;
(ii) why it was so submitted ; and
(iii) when the sanction is expected ?

(c) Will the Government be pleased to state why it did not bring forward the Bill in the December session of the Council as promised by the Honourable the Revenue Member in moving the Land Revenue Demand in May 1925 ?

The Honourable Mian Sir Fazl-i-Husain : (a) and (b) The honourable member will be pleased to hear that the Bill will be introduced during this Session.

(c) Because the sanction required was not received.

REWARD TO THE ASSISTANT SURGEON AT SIRSA.

2517. Lala Sham Lal : Will the Government be pleased to state whether it is a fact that the Assistant Surgeon at Sirsa was awarded a gold medal with the approval of the Government by the Sirsa public both Hindus and Muhammadans combined in a mass meeting for his excellent services during the last epidemic of plague at Sirsa ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : Yes. A gold medal costing Rs. 20, was presented to the Assistant Surgeon with approval of the then Inspector-General of Civil Hospitals, Punjab.

A PRIVATE MEDICAL PRACTITIONER AT SIRSA.

2518. Lala Sham Lal : (a) Will the Government be pleased to state whether it is a fact that a certain registered private medical practitioner at Sirsa was recently prosecuted under section 354, Indian Penal Code, for an indecent assault on a lady of a railway official and that the prosecution was dropped on the practitioner's tendering an unqualified apology and paying Rs. 300 compensation ?

(b) If the answer to (a) be in the affirmative, will the Government be pleased to state whether the said conduct of this practitioner does not disqualify him for registration according to the Medical Registration Act of 1918 ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

ROAD FROM CHAWINDA TO ZAFARWAL IN THE SIALKOT DISTRICT.

2519. Khan Muhammad Abdullah Khan : Is it a fact that there is a *kucha* road from Chawinda to Zafarwal in the Sialkot district ? Is it also a fact that only two miles of this road near Chawinda were metalled several years ago and this metalled portion is now badly in need of repairs ?

If the answers to the above are in the affirmative, will Government please state what steps it proposes to take to carry out these repairs and to take in hand the metalling of the remaining portion of this road at an early date ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

PATWARKHANAS.

2520. Chaudhri Ram Singh : With reference to the answer given to my question No. 2147* put on the 3rd December 1925, will Government please explain what they mean by the expression "village communities" used therein ?

The Honourable Mian Sir Fazl-i-Husain : A village community is a body of proprietors who now or formerly owned part of the village lands in common, and who are jointly responsible for the payment of the revenue.

CENSUS OF SHEEP AND GOATS IN KANGRA DISTRICT.

2521. Chaudhri Ram Singh : Will Government please state the number of times the census of sheep and goats has been taken in the Kangra district since the settlement of 1917-18 ? Will it also please state tahsilwar the results of each census ?

The Honourable Mian Sir Fazl-i-Husain : The information is being collected and will be laid on the table when ready.

*Vol. VIII-B., pages 1373-74.

GRANT OF LAND TO ZAILDARS OF KANGRA DISTRICT FOR WAR SERVICES.

2522. **Chaudhri Ram Singh**: (*a*) With reference to the answer given to my question No. 1931* put on the 20th June 1925, will Government please state if it is not a fact that only three out of the ten zaildars mentioned therein have been granted lands in recognition of their war services, while the remaining seven have been granted land for other services?

(*b*) Is it a fact that a large number of zaildars in the Kangra District were awarded medals for their war services?

(*c*) If the answers to (*a*) and (*b*) above be in the affirmative, will Government please state why lands were not granted to all such zaildars?

The Honourable Mian Sir Fazl-i-Husain: The question has necessitated enquiries which are not yet complete. I will send the answer to the honourable member as soon as it is ready.

PRIVATE CANALS AT DIBBAR DHADE KUTWAL.

2523. **Chaudhri Ram Singh**: (*a*) With reference to the answer to my question No. 2150† put on the 3rd December 1925, will Government please state whether they have perused the records concerning Dibbar Dhade Kutwal prepared annually ever since the settlement arrived at in 1886? If so, will it please state whether the width of heads of the private canals, Jandwal, Budhabar, Thakardawara and Barota mentioned therein is 12 feet or 24 feet?

(*b*) Will it also please state—

(*i*) the increase in the irrigating capacity of the Shah Nehr since the aforesaid settlement;

(*ii*) whether any increase in the irrigating capacity of the Shah Nehr in accordance with the terms of settlement will tend to curtail the width of the heads of the private canals;

(*iii*) the area irrigated by the Shah Nehr before the settlement and after it;

(*iv*) if it is a fact that during the last two years ever since the introduction of this 12-feet system owners of the private canals have been objecting to it, and that they have also once made a written representation that the former width of heads as mentioned in the records be restored?

(*c*) If the answers to (*a*) and (*b*) above be in the affirmative, does Government propose to consider the advisability of apppointing a committee including officers of both the districts of Hoshiarpur and Kangra to inquire into the loss suffered on account of the shortage of water supply caused by obstacles created in the way of the owners of the private canals?

The Honourable Mian Sir Fazl-I-Husain: The question has necessitated local enquiries and an answer will be sent to the honourable member later.

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*Vol. VIII-B., page 1152 and Appendix VIII.

†Vol. VIII-B, page 1376.

MILITARY PENSIONERS EMPLOYED AS SUB-REGISTRARS AND HONORARY MAGISTRATES.

2524. Chaudhri Ram Singh: Will the Government please lay on the table the answer to my question No. 876* put on the 12th November 1924?

Mr. B. H. Dobson: The answer to the question referred to is laid on the table.

[*Answer to Question No.* 876.]

The Honourable Sir John Maynard:—

(*a*) 74.

(*b*) Hindus 16; Muhammadans 38; and Sikhs 20.

TRAMWAY LINE BETWEEN PATHANKOT AND MANDI AND CART ROAD BETWEEN PATHANKOT AND DHARMSALA.

2525. Chaudhri Ram Singh: (*a*) Will Government please state if it is proposed to run a tramway line between Pathankot and Mandi *via* Jawali?

(*b*) If the answer to (*a*) be in the affirmative, will Government please state whether they propose to take steps to maintain in good order the cart road which runs from Pathankot *via* Nurpur, Kotla and Kangra to Dharmsala?

The Honourable Mian Sir Fazl-i-Husain: Enquiries have been made from the North-Western Railway authorities in regard to (*a*) and on receipt of the necessary information from them, an answer to the full question will be prepared and communicated to the honourable member.

SANITATION OF ILAQA BACHWAHI.

2526. Chaudhri Ram Singh: Is Government aware of the fact that Ilaqa Bachwahi which stretches over tahsil Dasuha, District Hoshiarpur, and Tahsil Nurpur, District Kangra, is very insanitary? If so, does Government intend taking any steps for the proper care of the health of the people of this ilaqa?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

ALLOTMENT OF LANDS IN RAKH FAZILPUR.

2527. Shaikh Faiz Muhammad: (*a*) Will Government kindly state if it is a fact that they propose to allot Government land in Rakh Fazilpur in Dera Ghazi Khan District to certain Punjabis and that applications have been invited in this connection?

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*Vol. VII, pages 327-28.

[Sh. Faiz Muhammad.]

(b) If the answer to (a) is in the affirmative, will Government kindly state the area which it is proposed to so dispose of ?

(c) Will Government kindly lay on the table a full statement of the conditions on which the land is to be thus granted ?

(d) Is it a fact that a part of the land to be thus granted is already under cultivation by local tenants ?

(e) Is Government aware that some local zamindars and agriculturists are prepared to take these lands on terms on which they are being offered to others from outside the district ?

(f) If the answer to (e) above is in the affirmative, does Government propose to give preference to local applicants ?

(g) (i) Will Government kindly state if it is a fact that the experiment of importing tenants from outside the district has already been tried in connection with the Bruceabad estate ?

(ii) If the answer to (g) (i) is in the affirmative, will Government please state the number of tenants to whom land was originally offered and the number of those who eventually settled in this district ?

(iii) Is it a fact that at present Bruceabad estate is cultivated by local tenants ?

The Honourable Mian Sir Fazl-i-Husain :—

(a) Yes.

(b) 1,634 acres, which excludes abadi, graveyard, etc.

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

(d) Yes.

(e) Government has no information regarding the wishes of local zamindars, but the object of the scheme is to attract good cultivators from other districts to set an example.

(f) & (g) Enquiries are being made.

Detailed conditions.

(1) The lease shall contain a promise of occupancy rights to be conferred by Government at the expiry of 10 years from the date of the commencement of the lease, provided that the lessee has paid all sums due from him to the estate and has duly fullfiled all other conditions of the lease.

(2) The lessee shall sink and complete a well for every 50 acres of his tenancy at his own expense and shall keep four yoke of bullocks for cultivation. If the lessee's tenancy contains an existing well, he shall pay as compensation for it a sum to be fixed by the Deputy Commissioner which shall not exceed Rs. 400. No compensation shall, however, be paid for old wells belonging to Government and lying within the area set apart for the village site.

(3) The lessee shall sink and complete his well within 3½ years and shall bring the whole of the area under cultivation during that time.

(4) The lessee shall reside on the estate and himself cultivate the land leased to him.

(5) Trees standing on the land at the time of occupation and in the future shall be the property of the lessee.

(6) The lessee shall pay fixed land revenue at the rate of Rs. 8 per well in addition to the fluctuating rate of the assessment circle.

(7) The lessee shall pay Malikana at the rate of 12 annas per rupee calculated on the total amount of fixed and fluctuating land revenue and shall also be liable to the usual cesses.

(8) The lessee shall pay when due land revenue, *abiana* (occupier's rate), malikana and cesses imposed by the Deputy Commissioner from time to time in respect of the said lands or any part thereof provided that the Deputy Commissioner shall remit the whole of the demand on account of land revenue, malikana and cesses in respect of the first four harvests. No remission of abiana (occupiers' rate) shall be allowed.

(9) The lessee shall be bound to be and to remain at all times of loyal behaviour, and to render active support to the Government and its officers in any time of trouble or disorder. The decision of the local Government whether this condition has been violated by the lessee shall be final, and if the Local Government is of opinion that the lessee has committed a breach of this condition it may resume the grant or any portion thereof either temporarily or permanently and such resumption shall not affect any other penalty to which the lessee may be liable under these conditions or otherwise.

HAQ ABPASHI IN DERA GHAZI KHAN DISTRICT.

2528. Shaikh Faiz Muhammad: (*a*) Will Government kindly state what was the *Haq abpashi* of commanded area on the Dera Ghazi Khan district inundation canals when the land revenue was assessed at the last settlement of the district ?

(*b*) What is the *Haq abpashi* at present ?

(*c*) If there is a decrease, will the Government please state what steps they are going to take to adjust the assessment to the changed conditions of irrigation ?

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

LAND RENDERED UNCULTURABLE BY THE INDUS OR THE HILL TORRENTS.

2529. Shaikh Faiz Muhammad: Will Government kindly lay on the table the figures for the last ten years of area *tahsilwar* in the Dera Ghazi Khan District —

(*a*) eroded or rendered unculturable by the river Indus ;

(*b*) rendered unculturable by hill torrents ?

The Honourable Mian Sir Fazl-i-Husain: The information asked for is being collected.

ESTABLISHMENT OF THE IRRIGATION DEPARTMENT, DERA GHAZI KHAN DISTRICT.

2530. **Shaikh Faiz Muhammad**: With reference to question No. 2382,* asked on the 11th December 1925, will Government kindly state if they consider the representation of the Musalmans in this branch of public service adequate?

If the answer is in the negative, do Government propose taking any steps in the matter?

The Honourable Mian Sir Fazl-i-Husain: No. On the occurrence of vacancies cases of qualified Muslims will be duly considered.

IRRIGATION OF LANDS IN VILLAGE FATEHPUR BILOCH.

2531. **Chaudhri Sahib Dad Khan**: Will the Government please state—

(a) whether it is a fact that the Gkhal canal passes through the village Fatehpur Biloch in the Ballabgarh tahsil of the Gurgaon District;

(b) whether it is a fact that this canal does not irrigate the lands of this village;

(c) whether it is a fact that the proprietors of the village have applied that they should be granted a minor or an outlet out of this canal for the irrigation of their lands; and

(d) if so, whether the Government proposes to accede to the request of the proprietors?

The Honourable Mian Sir Fazl-i-Husain: The information is being collected.

PUNITIVE POLICE POST LOCATED AT VILLAGE CHANDI IN THE ROHTAK DISTRICT.

2532. **Chaudhri Sahib Dad Khan**: Will the Government be pleased to state—

(a) whether it is a fact that there is scarcity of fodder and grain in the Rohtak and the Hissar Districts;

(b) whether it is a fact that there is punitive police post located at village Chandi in the Rohtak District for the past several years;

(c) whether it is a fact that the people of the village have represented to Government that they are not well off, and that they cannot pay the charges of the punitive police post;

(d) whether it is a fact that the villagers have reformed themselves, and that there are no valid complaints against them;

(e) if so, does the Government propose to remove the punitive police post from that village;

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* Vol. VIII-B, pages 1676-77.

The Honourable Sir John Maynard: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready. But in the meanwhile I may say that if it is true that there are no valid complaints against the villagers, Government will no doubt consider the removal of the additional police.

REWARD TO GOVERNMENT SERVANTS FOR HONESTY.

2533. Subedar-Major Farman Ali Khan: Will Government please state if any reward is given to its subordinates in every department for their honesty? If so, will Government please state the names of those officers in the Police Department who have been rewarded for their honesty?

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

INCREMENTS TO POLICE SUB-INSPECTORS.

2534. Subedar-Major Farman Ali Khan: Will Government please state if it is a fact that Police Sub-Inspectors get only a quinquennial increment of Rs. 10 while increments to subordinates in other Departments is annual? If so, will the Government please give reasons for this differential treatment?

The Honourable Sir John Maynard: Yes, because the circumstances determining pay and rate of increments are not necessarily the same in the case of one class of officers as in the case of others.

SPECIAL ALLOWANCE TO SUB-INSPECTORS OF POLICE.

2535. Subedar-Major Farman Ali Khan: Will Government please state if any special allowance is given to constables, head constables and inspectors in police stations of municipal towns and cantonments and in Sadr police stations, while no such allowance is given to Sub-Inspectors? If so, will the Government please state the reasons for this differential treatment?

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

ALLOWANCE TO ASSISTANT AND DEPUTY SUPERINTENDENTS OF POLICE, RAWALPINDI.

2536. Subedar-Major Farman Ali Khan: Will Government please state if the Assistant Superintendent of Police, Rawalpindi, gets Rs. 100 as allowance, while the Deputy Superintendent of Police gets no such allowance? If so, why?

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

RESOLUTIONS.

RESOLUTION *re.* APPOINTMENT OF AND LEAVE TO ZAILDARS AND SUFEDPOSHES.

Sardar Partap Singh [Jullundur (Sikh), Rural] (Urdu): Sir, I beg to move—

"This Council recommends to the Government—

(*a*) That in future vacancies in the posts of zaildars and sufedposhes be filled by election and not by nomination;

(*b*) that the existing system of appointing sarbarahs of zaildars and sufedposhes be stopped; and

(*c*) if a zaildar or a sufedposh be unable to attend to his duties by reason of his illness or on account of some private business he may be granted leave for a period not exceeding three months which may in special circumstances be extended to a period not exceeding six months, and some one else be appointed to officiate for him during his absence, if necessary."

Sir, I may at the very outset say that the resolution moved is in the interest of the zamindars, zaildars and sufedposhes and the Government alike and I will try to show how it is so.

Originally the posts of the zaildars and sufedposhes, who were considered to be the representatives of the zamindars and who are even now said to be such representatives, were filled by the vote of the zamindars and that candidate was considered most suitable who could secure the largest number of votes. But as time went on, it was managed to abolish that wholesome practice. These posts, then, came to be filled up on the recommendations of the Deputy Commissioners concerned. As I have said before even now it is claimed that these zaildars and sufedposhes are the representatives of the people in their respective zails. The question, therefore, naturally arises why it is that such representatives should not be elected by such persons. Why should not these zamindars be given opportunity to elect a man in whom they may have confidence and about whom they are sure that such elected person will ventilate their grievances and place them before the officers concerned? The resolution, if adopted, will confer this right on the zamindars and that is why I say that it is in the interest of the zamindars. It is in the interest of the Government because the zaildars and sufedposhes being the real representatives of the people will not dare tell lies and thus mislead the Government. They will only place before the Government the true and correct information thus avoiding the necessity for the Government to take such steps as it is sometimes compelled to take on wrong information being supplied. If I may say the attitude that the Government took with regard to the Akali Movement was taken, I am sure, because truth was not told and we know how much public money was wasted and how many people suffered as a result of that.

There is another important reason why this system of election should be introduced. The Government mostly depends, for every sort of information about the condition in the villages, on the zaildars and sufedposhes and perhaps to a certain extent on the police or secret police as you may call it. Now-a-days there are no rajas to go about in disguise and know the conditions in the far off villages under their Government. Therefore it is highly necessary that the zaildars and sufedposhes should be honest people and you can have honest people only if you accept the resolution moved by me.

The proposition, as I said, is also in the interest of the zaildars and sufedposhes themselves. If they are elected by the people they will not have to depend upon the recommendations of the police officers as at present for their appointment as such and consequently they will not unduly submit to the unjust demands of the police. It will not be necessary, then, to please the officers coming on tours by adopting unfair means. I am sure if the zaildars are made responsible for their actions to the people, the dirty things like Begar will go. The villagers will not in that case be compelled to supply necessaries to the officers on tours without having been paid for them and the coolies will not be compelled to carry luggage from one place to another without any remuneration as it is done at present although the Government claims that such things have ceased to exist.

This is all about part one of the resolution. As to part (*b*) I fail to understand why a zaildar or sufedposh be allowed to appoint a sarbarah whenever he chooses to do so. It is said that the zaildars are appointed after making exhaustive enquiries and after considering the merits of all the candidates seeking appointment. A most suitable candidate is selected out of the lot for such appointments. If it is so, I ask why a zaildar is allowed to appoint a sarbarah after a few days of his appointment? Why should he be allowed to entrust his duties to his son, his friend or his servant sometimes any one of whom cannot be considered as suitable or even as responsible as he himself was and is considered to be. I therefore ask that if a man is once permanently appointed to the post of a zaildar, he and not any one else should continue to work as such and if it is not possible for him to attend to his duties, another candidate next in order of merit be appointed in his place rather than that he should be allowed to put in his place any irresponsible man.

The third part of the resolution is quite simple and it does not require any word of explanation.

With these few words I commend the resolution to the house for its acceptance.

Mr. President : The resolution moved is—

"This Council recommends to the Government—

(*a*) that in future vacancies in the posts of zaildars and sufedposhes be filled by election and not by nomination ;

(*b*) that the existing system of appointing sarbarahs of zaildars and sufedposhes be stopped ; and

(*c*) if a zaildar or a sufedposh be unable to attend to his duties by reasons of his illness or on account of some private business he may be granted leave for a period not exceeding three months which may in special circumstances be extended to a period not exceeding six months, and some one else be appointed to officiate for him during his absence, if necessary."

The question is that that resolution be adopted.

Chaudhri Duli Chand : Sir, may I now move my amendment* ?

Mr. President : No. The honourable member's amendment cannot be allowed to be moved as it goes beyond the scope of the original resolution and is, consequently, out of order.

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*"That for the original resolution the following be substituted :—

'This Council recommends to the Government that in future zaildars and sufedposhes should be elected by land revenue payers of a zail after every five years'."

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) (Urdu): Sir, since no other member wants to make a speech, I rise to lay very briefly a few points before the House. Sir, it is the desire of the Government to have the best, the ablest and the most honest of men appointed as zaildars and safedposhes. It is in fact to its own advantage that it should receive no false reports about the people. Any proposal, therefore, which tends to ensure the receipt of a true and faithful report of public feelings by the Government will be welcomed, and will receive its very serious consideration. But it is the experience of the Government that a system of election for filling executive offices, whatever its other advantages may be, is unlikely to help the Government in the recruitment of those who have to discharge executive functions. It is one of the duties of zaildars to report all cases of misappropriation of nazul lands, damages to Government buildings and cutting of trees, to the authorities. A similar duty rests with the members of the Municipal Committees, but we are told that nazul lands in Municipalities are fast diminishing and are being mis-appropriated and the municipalities fail to take necessary action. Now, if the zaildars were to be appointed as a result of election, it is to be feared that they will not be so well able to discharge their functions as they are at present. Now, Sir, the Government have a two-fold duty to perform. One is that connected with the formulating of policies and the other with the execution of the same. It is open to serious doubt whether Government will be able to obtain the help it now receives from zaildars in the performance of executive duties, if they were to be elected.

Sir, there is one thing mentioned by the honourable mover, which has caused me some concern—that zaildars give false reports of the public feeling in villages. Government looks with disapproval misrepresentations made. It would, therefore, be well for the people to elect a man out of themselves who would undertake to give correct reports to the Government confidentially about public opinion on important matters. We shall then compare the reports made by this agency with those received through present sources to ascertain how many false reports are made (Laughter).

Then, Sir, something was said about the tours made by officers of the Government and the inconvenience caused by these zaildars on such occasions to the poor villagers. It would be observed that there has grown of late a class of persons commonly known as contractors of supply for the word "supply" has come to be used in Punjabi as well.

Mian Abdul Aziz: *Muhaya Kunenda.*

The Honourable Mian Sir Fazl-i-Husain (continued in Urdu): This may be known and used only by the literate people, a villager in general calls it supply. Now, Sir, these contractors of supply as they are called, are generally the business-like men of the villages and it is highly improbable that such shrewd men of business, as they generally are, let go the officer without a payment of their bills for which they give receipts. On the other hand it is found that they are inclined to charge rates prevailing in Lahore and which are much higher than those obtaining in villages.

Mian Abdul Aziz: Beg your pardon, it is not so.

The Honourable Mian Sir Fazl i-Husain: It may be so, that the honourable member interrupting got cheaper service than the market rate permitted but my experience is different. They charge as high rates as prevail in Lahore. I, therefore, submit, Sir, that the improvements effected

in this direction during recent years are not fully appreciated. No doubt, there was a time when an officer could get a dozen fowl, a pair of goats and numerous other things often for his "rasad," but those days have long disappeared. Now an officer has to be content with asking for bare necessities and even that on payment. This work is no longer done by zaildars. There are now-a days regular contractors who do this work. However, if there are any such cases the Financial Commissioner and myself will be glad to know of them personally though we would prefer having a written complaint made of it so that enquiries may be made. For these reasons I find it hard to accede to the wish embodied in the resolution.

Sayad Muhammad Husain [Montgomery (Muhammadan) Rural] (Urdu) : Sir, I am in perfect agreement with what the honourable the Sardar Sahib, the mover of the resolution, has said in his speech, but I am afraid, the remedy he suggests falls far short of the malady. It is not an effectual cure of the trouble. He has not informed the House whether the zaildars when once elected are to hold the office until relieved by the merciful hand of death or they are to hold it only for an appointed time. Neither, have we been informed if the candidates and the electors are to be zamindars only or others also can take part in the election. Now, Sir, the time when zaildars used to be dishonest has gone away and these days we find men of the calibre of my honourable friend Sir Sayad Mehdi Shah on whose integrity and honesty we can have not even the slightest suspicion. I know we have these days zaildars who are the most vociferous in the venting of their grievances and the pressing of their claims. I remember once having accompanied the Honourable Sardar Bahadur Sardar Sundar Singh Majithia and the Financial Commissioner in one of their tours in the Tahsils of Wazirabad and Hafizabad. I say that the zaildars of the place were the first to give vent to their grievances. (A voice : To their personal grievances.) I found that they very strongly voiced the grievances of the people and laid before the officers their whole tale of woe. I admit there are black sheep here and there. But such men, I submit, are few and far between who annoy their people to serve the officer and supply them with their requirements. This work is now undertaken by the contractors. Though the evil has not been wholly eradicated, it is fast disappearing.

Again, Sir, it has been suggested that instead of descending of the responsibilities at the occasion of the illness or absence of the zaildar to his son, brother or other nominee of his, another should be appointed in his stead. In this connection, I would like to submit that such a thing would upset the whole thing. The new man would like, in fact generally has, his own way of working and his taking up the thing for a short time will cause a serious dislocation of the system followed by his predecessor who has again to build it up after a short absence.

Then, Sir, the third objection is about the giving of false reports. I am prepared to believe in it. But, Sir, there are other people also who inspite of holding high offices are addicted to this bad practice. This reminds me of the famous words of the famous poet Akbar :—

> '*Hindu hain pet servant, Muslim hain honorary.*' (Hindus work for their self while Muslims work honorarily).

This evil is rampant and will continue and it is a matter of great pleasure that the Information Bureau has minimised the chances of the dissemination of false reports. They now sift the truth.

Mian Abdul Aziz : Have you any axe to grind in the office of the Information Bureau that you are extolling it to the sky ?

Sayad Muhammad Husain (continued in Urdu) : No simply that the Director is my friend and I have a great regard for him. Anyhow it is wrong to think that these are the only persons who carry false tales to the officials. As a rule we find zaildars to be the scions of big families and we find that they get this job after a great fight in which happily our lawyer friends gain a lot and if these jobs are held open to election only, their income will be reduced. I, therefore, request my lawyer friends not to vote for the resolution. We have already so many elections we know that at the approach of the Council election a lot of fus is created, and we have so many mandates coming from the Congress, the Hindu Sabha, the Khilafat and the Parbandhak Committee. We hear of accepting Ministry and we hear of not accepting it. We have so many institutions where election passes that we can afford to leave this little place for the Deputy Commissioners to nominate. I am afraid that this system of election in time will cover the lambardarship as well. Thus a lot of litigation will ensue. For these reasons though I believe in the good intentions of the mover and hold that it is for the good of the country that he moves the resolution, I oppose the resolution.

Chaudhri Ram Singh [Kangra (Non-Muhammadan) Rural] (Urdu) : Sir, I rise to oppose the resolution and I do so on the ground because I know from my personal experience that this system of elections has already done much harm in the villages. The people are already divided on account of these elections and every day some quarrel or another is added to the number that already exists of these amongst the zamindars because one party wants to favour one candidate and other wants to secure votes for the other. And if the system of election is also introduced in regard to the appointments of the zaildars and sufedposhes as it is proposed to do, I do not know how much worse the matters will become in the villages. It was well said by some one :—

اندھیرا چھا جائیگا جہاں میں اگر یہی روشنی رہیگی

Which when translated means that if this is to be the sort of light intended to be provided, the world would much rather remain in darkness. I, therefore, say that this resolution should not be allowed to pass, because I am sure that in that case the quarrels and strifes will gain impetus and zamindars will not find rest even for one day.

It has been alleged by some members that these zaildars and sufeposhes are the touts of the police. I emphatically repudiate this allegation. There may be one or two zaildars of this type but that is no reason to say that all are dishonest. We can ignore these black sheep because they must be found everywhere.

With these few words I oppose the resolution but before I take my seat I want to bring one point to the notice of the Honourable Member for Revenue. The Honourable Member for Revenue has said that supply contractors have been appointed to supply the requirements of the officers on tours. I would invite the attention of the Honourable Member to my district in this connection. In answer to my questions, the Government said that it was the duty of the patwaris and chaukidars to carry jamabandis to tahsils, but this is not done in actual practice. Instead the zaildars and lambardars compel the

poor *chamirs* to carry these jamabandis to tahsils. I have made this complaint with a view that the Honourable Member for Revenue may kindly take immediate steps to put an end to this practice.

Mian Abdul Aziz [Lahore City (Muhammadan) Urban] (Urdu): Sir, I shall have to say something even beyond this resolution. I draw particularly the attention of the Financial Commissioner to the following points. Where is the necessity for this post at all? There are in every village two, three or even four lambardars and there are in every tahsil from ten to fifteen zaildars. But I ask, what are the duties of these zaildars? Their duties are more akin to police. Why then should they not be attached to and considered as one of the police establishment? It is claimed by the police department that these zaildars are a part of their establishment. Over and above this I fail to understand how they benefit the people. According to the rules their duties are similar to those of a lambardar. As a matter of fact they only serve as a post office. They serve no other useful purpose. Some members who are in favour of retaining the posts of zaildars do so because they consider it as a passport to the membership of this Council or others likewise. I now come to the arguments advanced by the Honourable Member for Revenue, that zaildars appointed by executive authorities will discharge their duties better than those elected by the people, and in support of his contention he has referred to the case of members of Municipal Committees remarking that it is well known that those elected members do not take the least interest. With this I cannot agree though there may be some such cases. Now, Sir, if we were to follow this argument to its logical conclusion, from the members of Municipalities to the members of the District Boards and then to members of the Council, then I ask, Sir, is it the experience of the Honourable Revenue Member who till recently was himself an elected member of the Council, that he himself was very negligent in the discharge of his duties as an elected member as he would have us believe that other members are. Such a general statement is too sweeping to be taken seriously by anybody. You have such men everywhere who pay very little regard to their duties. There are others who discharge their duties very conscientiously. I hope members will agree with me that there are several such officers drawing fat salaries that are careless about their work. We should, therefore, only see the principle underlying and should not be led away by a few stray cases. It is very likely, as my honourable friend Pir Sahib has suggested that we shall not get the support of the opposite block and this resolution will be talked out. But we must place all the arguments before the Honourable Revenue Member so that he may take necessary action on them. I, therefore, ask the Honourable the Revenue Member, if it has never come to his knowledge that certain things were supplied to some officers while they were on tour but their price was never paid by them.

Mr. C. M. King: I did not catch the honourable member's last point quite well. Will he please repeat it?

Mian Abdul Aziz: What point does he want me to repeat?

Mr. C. M. King: The last point he mentioned.

Mian Abdul Aziz: I enquire, Sir, if the Honourable Revenue Member or the Financial Commissioner has never heard of cases in which zaildars never pay to the people for the things supplied to the officers while on tour which the officer has paid to the zaildar.

Mr. C. M. King : I deny.

(At this stage some members put some questions simultaneously.)

Mian Abdul Aziz : I am prepared to reply any question, but I cannot answer each and every question from all sides at the same time.

Mr. President : Such side questions need not be answered.

Mian Abdul Aziz (continued in Urdu) : Sir, if you want concrete cases then I submit that several such complaints are received in the District Courts, on which hardly any action is taken. I can believe that no case has occurred during the last few weeks. Again, Sir, the Revenue Member has asked us to bring these matters to the notice of the authorities, but, Sir, I enquire who should complain when all those who have any cause to complain are under the thumb of the zaildars. Guarantee them protection and they will complain. I remember I said something during the debate on water-rate and I was prepared to prove it and Mr. Sangster replied very sympathetically and showed his willingness to enquire into those complaints. He mentioned personally the same thing to me at Simla. I wrote to him that as the one who gives bribe and the one who takes the bribe are equally guilty, if an assurance is given by the Government for the safety and protection from prosecution, of the man who gives bribe many cases of corruption will be brought to the notice of Government. But nothing has been heard about it yet and yet every day we are asked to make complaints without affording any protection, or without giving any assurance for actually enquiring into such complaints in the event of a complaint being made. When nothing is to be done I submit that there is no need of all this talk. and asking for the making of complaints.

Mr. C. M. King : I rise to a point of order. Is the honourable member in order in referring to these matters when speaking on the resolution before the House ?

Mr. President : The honourable member will please confine his remarks to the resolution before the House.

Mian Abdul Aziz : The Honourable Revenue Member said in his speech as one of the grounds that if there are any specific instances he is prepared to meet them. I am giving a reply to that argument of his. I, therefore, think I am relevant in referring to these points. But if I am ruled out of order I am quite prepared to accept the ruling.

Mr. President : Is the honourable member referring to corruption of the village officials or other officials also. If the latter I must say that his remarks are not relevant.

Mian Abdul Aziz : I bow to your ruling, Sir, but under the circumstances my remarks are quite proper and relevant to the question under discussion. However, I shall obey the ruling.

(Then continued in Urdu) : Now, Sir, it has been contended that people of higher status are appointed to the posts of zaildars. If certainly men like Sir Mehdi Shah are appointed then I have no objection, but the trouble is that like the one zaildar member of the Council who is now under arrest they are safe as long as they help the police. But no sooner do they refuse to act as their touts than they open themselves to the tyrannies of the police.

Sayad Muhammad Husain: Was he a zaildar ?

Mian Abdul Aziz: He was a zaildar I understand.

Chaudhri Duli Chand: He was not a zaildar. He was a bribe giver to the police officials.

Mian Abdul Aziz: I thank you for the correction.

(Then continued in Urdu): Now Sir, from this we can draw only one conclusion that zaildars are under the thumb of every police officer and their very appointment depends upon the sweet will of the police officer. How, then, can they refuse to pamper to them? This is not a new thing and Sayad Muhammad Husain is right in saying that there are such men everywhere. But I ask how many zaildars are there who are not corrupt. There are hardly twenty per cent. of such honest men.

Sayad Muhammad Husain (Urdu): They are sixty per cent.

Mian Abdul Aziz: May be according to the imagination of the honourable member only. Now, Sir, there is not the least doubt that zaildars are executive officers. They should, therefore, be considered as Government servants. But on the one hand they are called the representatives of the people and on the other they are considered as the servants of the Government, while at another occasion they are called police officials. If they are Government servants or police officials, how can they voice the grievances of the people? My honourable friend Sayad Muhammad Husain said that when he accompanied the Honourable Sardar Sir Sundar Singh Majithia on a tour he found that zaildars were the first to lay their grievances before the Honourable Revenue Member. But, Sir, I ask were those the only grievances of the people that could be laid before that official. Even more. Were they not their own grievances or those of their own relations that were laid before the Revenue Member and the real grievances of the zamindars were ignored by them or never said? Thus if you want to retain zaildars as they are, make it a regular office. If the Government is prepared to accept the arguments advanced they should agree to the resolution. It has been said that we have already too many elections and we should have no more. I cannot agree with this. The representative system and election system will have to be introduced everywhere. Zail is a very small area, where it is not difficult to have an election at a very very small expense and trouble, particularly when we have elections for the Council of State and Assembly, Councils, Municipal Committees, District Boards and various Panchayats, what difference would it make to have election for zaildari. Now, Sir, this is my argument for having an election in regard to the office of the zaildar. The system of election is not bad. If there is any defect it is in us, at present that we do not follow the principle well, and do not elect proper qualified persons but vote for considerations of relationship or some such other consideration, which is regrettable but from this it does not follow that election system is bad. If so, then abolish elections altogether. It is necessary for the representatives of zamindars to be elected and not to be simply a nominee of the officials. The objection that no term of office has been fixed in the resolution is no objection and is a matter which concerns the details and can be provided for in the rules. The real thing is there. We should not, therefore, shut our eyes deliberately against these facts. Rather we should try to remove the evil wherever it exists and whenever it is noticed.

Khan Sahib Lieutenant Malik Muzaffar Khan (Nominated, non-official) (Urdu) : Sir I make bold after the speeches that have been delivered by various members to express the feelings of a soldier on the subject. I fail to understand what good was in view of the mover that led him to move in this direction. I do not agree with him in his efforts to introduce the system of election even in these posts. We are yet novices in the art of democratic form of Government. We should not all at once think of flying in the sky while we have yet to learn how to flutter. In this way the words of the poet will apply very well on our condition :—

3 p.m.

"Na Khuda hi milla na wosalı sanam

Na idhar ke rahe na udher ke rahe."

We should be satisfied with election in the Municipalities, District Boards, and the Councils. We know that under the strain of these elections our old ties of friendship and goodwill snap and a lot of bad blood and ill will is created. We are yet beginners and do not know how to exercise our votes to the best interests of our country. Under the old system the local officers appoint the best candidates as zaildars after a thorough enquiry. In addition to that they announce far and wide that such and such person is to be appointed to the post of zaildar, anybody having any complaint against such appointment may do so by such a date. These complaints are heard very sympathetically and enquired into, and if found true the candidate's appointment is cancelled. I, therefore, hold that the proposed system of appointing zaildars after election is not likely to prove useful. Such a thing will open these posts to bad characters in the villages. Moreover, the man appointed in this way will always try to shield the bad characters so that he may succeed in the next election. While the other likely candidates will always be under the bondage of electors, so that they may succeed in the election. Again, Sir, some of my friends have found fault with the zaildars that they supply cocks and eggs to the officers on tour. I wonder if the other zaildars who are to be appointed through election will be angels. This charge is false and there is no such complaint. So many other things have been said by various members that if I were to reply to all of them it will waste a lot of the time of the House. I, therefore, draw your attention to the fact that election in the appointment of zaildars will prove of no use. The resolution should therefore, be thrown out.

Lala Mohan Lal [North-East Towns (Non-Mohammadan), Urban] (urdu) : Sir, I rise to support the resolution. The system of election and the principle underlying it are such that they can be adopted with great advantage to the people. Lambardars are now-a-days appointed by the local officers. They, therefore, owe little responsibility to the people. The zaildars who supervise their work should not be appointed by the local officials but should be elected by those who pay revenue. They will be true representatives of the people if they are elected. He alone can work honestly and independently who depends for his appointment upon non-officials. An elected representative will not be a tool for oppression. An elected zaildar will boldly voice the feelings of the people before the local officers and will be a better representative than one who is appointed by the local officers and depends upon their good will for his future welfare. How can an appointed zaildar complain against those in whose hands rests his very appointment ? In order, therefore, to make a real good and real repre-

sentative of the people it is imperative that a system of election be introduced in the appointment of zaildars. I do not understand what the difficulty of the Government and of all those who oppose it is. Only those people will take part in the elections who own land. In my opinion, and I hope my friends will excuse my saying so, only those will oppose it who are zaildars already and have vested interests. I think Sardar Partap Singh does not belong to that class. It is my personal experience that zaildars are the instruments of tyrannies and corruption of the police. I know of cases in which bad characters continue to hold the posts in spite of many complaints against them because they are supported by officials. Under the circumstances it behoves the Government well to accept the resolution and to introduce the desired reform. Now, Sir, my hon'ble friend Khan Sahib Lieutenant Malik Muzaffar Khan fears that the system of election will give rise to bitterness of feelings in the villages. I admit that it will be so in the beginning but with the passing of time they will die their natural death and the people will learn to take the elections in their true spirits. If elections were a real danger we should stop the system for election to the Council and put an end to the ill-feelings or feuds being created. Sir, as we all know this would be a very suicidal act to do. Why do people want more franchise and wider elections? Because experience has taught them that election is better than nomination. I, therefore, submit that the election of the zaildars will do the Government and the zamindars a lot of good. With these words I support the resolution.

Chaudhri Duli Chand [Karnal (Non-Muhammadan), Rural] (Urdu): Sir, I am in a fix with regard to this resolution. I do not know whether I should oppose it or I should support it. So far as the spirit underlying the resolution is concerned, I quite sympathise with it. If I do not mistake the motive which actuated my honourable friend the mover of the resolution to bring forward this resolution is to root out corruption and so far as that intention of the mover goes I am at one with him, but unfortunately the resolution is not happily worded. From the resolution as it stands it appears that if once a person is elected to the post of a zaildar, he will remain so for his life-time. If that is meant by the resolution, then I must oppose it because I know that a person, who knows that when once elected he will not be removed, is sure to grow as corrupt as the nominated zaildars are alleged to be at present. Further the resolution is silent as to who will be eligible for election and who will be the persons entitled to elect zaildars and sufedposhes. It is not stated whether the revenue-payers only will elect zaildars or other persons will also be included in the list of the electors. Under the circumstances I am constrained to say that the resolution, if passed in its present form, will prove harmful rather than of any use.

Discussing the question generally, I say that there are no such zaildars and sufedposhes in other Provinces. It is only here that one comes across with them, and I may further say that since these posts have been created, the corruption has gone on increasing. If the Government were to collect the figures of one police station here in this Province, and similarly figures of one police station of another Province, it will know that the figure of corrupt practices here is much higher than it is in the other Province. I might here say that if Government is not willing to spend money and labour to collect these figures, there are persons amongst us who are prepared to volunteer for this service and they will not even mind spending money from their own pockets. It

[Ch. Duli Chand.]

will perhaps interest the Government to know that I collected such figures of a police station in the United Provinces and also the same figures in a police station in the Punjab, and I found that the proportion between the two is 1 to 1½, that is, if the number of bribes in the United Provinces is one, it is one-and-a-half in this Province, and I may say this is all due to no other cause but because of the presence of the corrupt zaildars and sufedposhes. These zaildars and sufedposhes are rightly called the touts of the police because they are mostly engaged in securing bribes for the police.

So far as the rules laid down by the Government governing the appointment of the zaildars are concerned, they are very good. But I am sorry to point out that they are not acted upon. In one of the rules it is provided that the person appointed as zaildar must have a good deal of influence with the people of his zail. But this is not the case in actual practice. If an enquiry were to be made, very few zaildars will be found to possess such influence. In most cases only those persons are appointed as zaildars who are in the good books of the Tahsildars and the Sub-Inspectors of Police and therefore every candidate for such appointment tries to please such officers even if he might have to spend money from his pocket. And they do not hesitate to spend money from their pockets because they know that as soon as they are appointed as zaildars, they will have many opportunities to make good that loss and once they have resorted to corrupt practices they become accustomed to them even if some of them were honest to begin with. This is the result of the recommendations of these officers being necessary for such appointments. I, therefore, ask the Government that it should at once issue instructions to its officers that in future the report of the police officers should never be called for when making appointments of zaildars and sufedposhes. Under the present system, those who are honest and want to remain honest cannot do so continuously and I know of two or three sufedposhes who were dismissed on the report of the police officers simply because they refused to help the police officers in their corrupt practices. One of these was a member of the Reformation Committee constitued at the instance of the now Honourable Minister for Agriculture and as such a member he had taken a vow never to secure bribery for the police officers; but as I said he was dismissed simply because he did not comply with the corrupt wishes of the police. Before I take my seat, I request the Government once again that it should do away with the interference of the police in the matter of appointment of zaildars and sufedposhes.

Khan Bahadur Sir Sayad Mehdi Shah (Nominated, Non-Official): I have heard so many members suggesting that zaildars should either be appointed through election or they should not be appointed at all. I have been a zaildar for the last 25 years or so and it is my experience that even now zaildars are appointed after a sort of a process of election. We know that they are appointed after receiving the general opinion of the sufedposhes and the people of the ilaqa. What do you mean by election? Is it not a process of receiving the opinions of the people concerned in a matter? This is exactly what is done in these days. The Deputy Commissioner satisfies himself thoroughly about the general acceptability of the candidates, gives time for objections and then appoints them. This office is not hereditary. The best available candidate is appointed and it takes months for the decision to be arrived at. Often it takes as many as six months to arrive at any decision. All this time enquiries go on as to the character, position, integrity and honesty of the candidate. Now, Sir, I

come to the need for this office. It has been advocated that there is no need for such a post. Sir, there are three or four lambardars in every village and there are about 20 or 25 zaildars in a Tahsil. Now, if a Tahsildar were to deal with all the 80 lambardars in a Tahsil it will take the whole of his time to attend to these lambardars alone. At present he has to deal with one zaildar. This saves a lot of time. The greatest work of a zaildar is the collection of land-revenue and we know what sort of work this collection of land-revenue is. Zaildars generally employ two or three men to collect it. It is only with some assistance that they can collect the whole revenue. It is therefore not correct to say that there is no need for this office. Again, Sir, it has been said that they are the cause of corruption in the police. I admit that there may be some who do so. But you find such black sheep in every department of life. But there are others who are very honest and faithful workers. Why don't you mention them? Take their official duties. During the recent war see the amount of the work they did. They supplied recruits, they collected subscriptions and they did so many other things. Then they serve the veterinary department and they assist the police. If the whole of this work were to fall to the lambardars it will greatly dislocate the work of the Government. Again, Sir, only that person is appointed zaildar who is generally liked by the people. Then, Sir, if this office were to be thrown open to election many *batmashes* who exercise a lot of influence in the villages will get elected to it. There will be no chance of a really good man being elected. Bad characters will get all the places (Laughter).

Sir, there is one thing which I find myself in perfect agreement with and that is the report of the police in the appointment of zaildar. This is a factor which causes the whole of the objection to be raised against a zaildar. The necessity of a police report should be done away with. You may call forth the opinion of the Tahsildar, but the services of the police should not be requisitioned, and as such when these appointments are dependent upon the good report of the police these persons do not have the courage to hold their heads high even before the lowest of the police officials. I, therefore, submit that the police report should be eliminated. But to hold an election for the post of zaildar would be very dangerous for the Government. I do not want to tell plainly what I mean but I am sure it will be very dangerous to hold an election for this post. This is the only office left to the poor zamindars and if this is thrown open to election it will be very dangerous for the Government.

Mr. Labh Singh [Rawalpindi Division and Lahore Division North (Non-Muhammadan) Rural]: Sir, if I rise to speak, it is only to controvert the argument that has been placed before the House by the Honourable the Revenue Member. His argument proves either nothing or proves too much. To put briefly his argument was that an elected person, a person who has been elected is incapable of discharging the duties of an executive officer. Long controversies, Sir, have ranged round this theme, but the world has at the end come to the conclusion that elected officers might be entrusted with advantage with executive functions, and the tendency all over the world is in that direction. It is now too late in the day to trot out that argument against the introduction of elective systems everywhere and in every department. It has also been said in this House in connection with the proposition before the House that the only functions which the zaildars discharge are doublefold. Firstly, they are either touts of police officers, that is, they help in giving or taking bribes or in other words they are instruments of

[Mr. Labh Singh.]
corruption and it is a well known fact to each and every member of the Council. If this is so, it might be an argument perhaps in favour of the abolition of this post altogether. But that is not the point before the House. The only point before the House is, how to minimise the evils of the system with the retention of this office? My submission is that if we introduce the elective system it would remedy the evil. One point more I would like to refer and that is this, that in the rules which govern the appointment of the zaildars there is already a provision to this effect that if the Deputy Commissioner so chooses, some sort of informal election may be held.

But the voters in that election are only the headmen of the villages comprised in the zail. That provision is practically a dead letter. It is seldom resorted to in practice. The proposition which is now before the House does not make any mention as to the persons who would be qualified to vote or as to the qualifications of zaildars. All these things are left to be decided by a subsequent order. So far as the principle of election is concerned, I would submit that it is already contained in the rules which have been framed by the Government in this connection. The only thing that is necessary is that those rules are to be revived and not allowed to remain a dead letter. It is really very strange to find some of the zamindar members of this Council not agreeing to the proposition that is now before the House. It is really in their own interests and one of the arguments that has been advanced is that they are all *tifl-i-maktab* and therefore they do not want any election at all, whether it be Council election or the municipal election or the district board election. They do not want any of these elections. I would submit, Sir, that these elections are of the highest order and if they are really *tifl-i-maktab* as they are considered to be, then the best thing for such people is to learn to exercise the vote in the limited sphere of the village and the zail and thus create a desire for taking part in the elections to other bodies. If they are really anxious to learn, they must begin with the zails, but if they are not really anxious, then any argument would do. This Government has in season and out of season told us that they are the Government of the rural people and that the interests of the villagers are very dear and near to their heart and that they are always anxious to promote their welfare. If they are really anxious to promote the welfare of the rural people, then they should study the economy of village life, they should study for themselves the forces which are really demoralising the people in the villages. They will soon find that the agency of these zaildars is being employed to subvert the morals of the people living in the villages. If these officers are allowed to be elected by even the headmen of the various villages which are comprised in the zail, I would submit, Sir, that it would elevate the standard of their morality and it would put down corruption a good deal.

Maulvi Mazhar Ali Azhar [East and West Central Towns (Muhammadan), Urban]: Sir, I do not see any good in discussing the various arguments advanced by the speakers on the ground of corruption of the zaildars. In my opinion the question before the House centres mainly round the point whether this office which has such a lot to do with the people should be thrown open to election or not. The question is of election *versus* nomination. Sir, I had the surprise of my life time to hear from the Honourable Revenue Member that elected members are not very mindful of their duties, it is, therefore, necessary to take to the system of nomination. As an example he has men-

tioned the case of the members of the Municipalities who take possession of the nazul lands themselves or do not object to this being done by others. He fears that the same thing will happen if zaildars were to be elected rather than nominated by the Government. Sir, the thing which surprised me the most was that the Honourable Revenue Member who till less than a fortnight back was the minister-in-charge of Municipalities of the Province and who always made it a boast of his life to push forward the system of election in Municipalities should now depict so badly the same system of election. I never expected that the Honourable Revenue Member would stoop to use such an argument. If the system of election is bad because the elected representatives have always to wait upon the good graces of their electors, the people, the same objection can be advanced against nomination by the Government, for those nominated have always to safeguard the interests of those who appointed them or they will go. If the elected people seek to benefit the people, the nominated do everything fair or unfair for their masters, the Government. Another member has opposed the introduction of election in the appointment of zaildars on the ground that it will give rise to factions and feuds in the villages. Sir, elections are held for the District Boards and other institutions and there has no such objection ever been raised. Before the elections of the Councils were introduced, was there peace in the villages? Were there no quarrels then which exist now? Why then should we think that the system of election is the cause of these quarrels? In the 20th century, the age of representative institutions, it sounds passing strange for an elected member to condemn the system of election. Look at the world from east to west. Look at Europe, America, Japan, China or anywhere else in the world and you will find the system of election followed by every nation. In other countries this right is exercised not by a few men but is exercised by all adult males and females and still we do not find it giving rise to any quarrels. It appears no doubt at the first sight that the rival parties are going to fight each other but as soon as the elections are over they settle down to their normal condition. But here in our own country, if we find quarrels arising, it is because the cause of the quarrels is hidden somewhere else. We sometimes carry our personal and private grievances into the election, run the elections on that basis and on that score we come to blows. Now, if, Sir, from these quarrels one comes to the conclusion that these elections are the cause of the quarrels then I am afraid the fault lies with his misreading the thing. He has drawn wrong conclusions. It is private quarrels that lead to bitterness in elections, it is not election that gives birth to quarrels. Election rather teaches us that we can hold different views and still maintain unruffled our private relations. Perhaps he does not know that when Mr. Ramsay Macdonald, the labour leader, was the Prime Minister he was too poor to keep a motor car. On this a friend of his who hold quite opposite political views gave him a car and the means wherewith to keep and bear the expenses of the car.

Sayad Muhammad Husain: And he was created a baronet.

Maulvi Mazhar Ali Azhar (continued in Urdu): Now, Sir, the quarrels are not born of these elections. In fact they have their origin in something quite unconnected with the elections. If my friend Khan Sahib Malik Muzaffar Khan had correctly studied the thing he would have found that a father and a son could live under the same roof and

[Maulvi Mazhar Ali Azhar.]

still hold different views. In England we find that a father holds one view while the daughter holds quite the opposite of the matter. The trouble is that we have not imbibed the true spirit of election. Election is election and quarrels are quarrels. The latter are not the necessary corrollary of the former. And if it is the experience of any member that he has carried enmity in his heart against his opponents after an election then he should not try this experiment again, continuing contesting election will not do him any good.

Sir, I was surprised to hear that if election is introduced *badmashes* will get elected to zaildarships. Now, Sir, only *badmashes* will elect *badmashes* and if there are *badmashes* to elect them they have a right to do so. But I do not believe that zamindars would elect *badmashes*. Again, if only *badmashes* can succeed in election for zaildars then the members of the Council must be *mahan badmashes* to have been elected through far bigger constituencies than can ever be expected for the zaildari elections. Sir, these are no places for *badmashes*. They cannot have access to it. These bodies are places for good men alone. It may be an unfortunate experience of some one that a *badmash* has been elected, but as a rule people do not elect *badmashes*. Our experience goes that people only elect good men and we need have no fears on this score.

Again, Sir, it has been said that we are merely novices in this line and that this is not the time to extend this principle any further. Sir, it is the duty of a novice, if there is any here, to learn his lessons well and if he finds himself unsuited for this task of the governance of the people it is better that he steppeth not in this game, and if he wants to come he must master his part well. Shunning the school will do him no good. If he does not come to the school and learn his lessons I am afraid we shall have to secure his attendance compulsorily. It is therefore time for us to learn the lesson.

Sir, an argument had been advanced that zaildars gave recruits, paid subscriptions and did other war services. Now, Sir, I do not think these to be the primary duties of a zaildar, and even persons who seek election to the post with full knowledge of the duties they have to perform, they would not fail to do so simply because they have been elected. If these duties were marked out clearly they will not lag behind in the performance thereof. They will not go out of their way to supply recruits by all fair or unfair means as was done in several cases during the great war. Therefore, if the Government wants to have all this work done by fair means or foul they are welcome to nominate their own men. But if the representation of the people is the end to be achieved then I am afraid election is the only way.

Lala Bodh Raj [West Punjab Towns, (Non-Muhammadan,) Urban] (Urdu) : Sir, so far as I know some of the duties that a zaildar is required to perform are (*i*) to help in the realisation of land revenue, (*ii*) to provide the requirements of the officers when on tours, (*iii*) to inform the police of the commission of any crime in his *ilaqa*, (*iv*) to help the police in the investigation of crime and (*v*) to take care of the Government property situate in his zail. These are some of the duties imposed upon a zaildar and the Honourable the Member for Revenue has, in his speech, given expression to the fear that the elected zaildars will not be able to perform these duties as efficiently

as the nominated zaildars. I do not know how he is justified in entertaining such fear. When the elected members returned to the Municipal Committee, District Boards or the Local Council claim that they can run the administration of the local areas or the Province efficiently there can be no reason for the Revenue Member to suppose that the elected zaildars will not be able to perform their duties quite efficiently.

I have carefully listened to all the speeches and I find that none of the speakers opposing the resolution has tried to meet the objections raised by the honourable mover of the resolution and its supporters. All of them scrupulously avoided replying to those objections, perhaps they had no reply to give. Of course some of them had to admit that there are a few black sheep amongst the zaildars just like in any other department. But that is not the whole truth. I can say without fear of contradiction that there are not only a few black sheep amongst them, but almost 80 per cent. of them are dishonest and corrupt. Therefore I say that it is quite a reasonable demand that the old system of nomination should change and it should give place to a new system of election and the people should be given the opportunity to elect only those persons in whom they may repose confidence and who may be fit to discharge their duties efficiently and honestly. The zaildars at present are more or less the agents of the police officers and they are wholly under the influence of the latter. Some of them are perfect gundas and bad characters and have got their names registered in Register No. 10 of the Police. I know of a zaildar in Lodhran Tahsil who has got his history sheet opened by the police and if you were to examine that history sheet, you will find that he is a bad character of long standing, but inspite of this fact he has always managed to continue as a zaildar. How he has so managed, the members might guess and that is how he has always been able to get on with the police . . . . .

Sayad Muhammad Husain: There are many persons and even there are members of this Council who have got their history sheet opened by the police.

Lala Bodh Raj (continued); I admit that, but the members of the Council have got their history sheet opened not on account of moral offences but on account of political activities, but the zaildar to whom I referred has been guilty of criminal offences.

We have not been able to know so far what the position and status of these zaildars is. On the one hand it is claimed that they are the servants of the Government intended to help the Government in its administration, but when the time for election to the District Boards and to the Municipal Committees comes and the public takes objection to their standing as candidates for election on the ground that they make use of their influence with the police in the election campaign, the Government comes to their rescue and says "They are the best representatives of the people". This double character of the zaildars must be done away with and the real representatives only should be appointed to the post.

My honourable friends Sir Sayad Mehdi Shah and Malik Muzaffar Khan opposed the resolution on the ground that if the system of election is introduced, as proposed, in the appointments of zaildars, only bad characters will be elected. May I ask them whether they consider that all the electors or a majority of them are bad characters? I do not think that they cherish

[Lala Bodh Raj.]
such opinions about the electors and there can be no reason to fear that only bad characters will be elected as zaildars if this resolution is carried. As has been said before, the present nominated zaildars are rather dishonest and bad characters and my friend Chaudhri Duli Chand has shown by his figures that corrupt practices prevailing here are mostly due to the present nominated zaildars. I would, therefore, say that if the Government is anxious to root out corruption as it professes to do it should clear the province of these agents of the police and be prepared to accept the resolution under consideration.

I would close my remarks after relating one of my experiences. Last year at the time of the election for the District Board, Multan, I happened to go to Lodhran. A zaildar was one of the candidates for election. Only a day before he came to know that there was no chance for him to succeed if he only adopted fair means. He, therefore, called a meeting of all the villagers and threatened them in the gathering that if they did not vote for him, their lives and properties would not be safe. The villagers did not like to expose their lives and properties to danger, they therefore yielded and agreed to vote in his favour. The rival candidate came to know all about this threat and he then considered it best under the circumstances to withdraw and while withdrawing he put in the protest that the voters had been unduly influenced and terrorised. But his objection shared the same fate as such objections do. Such things should have opened the eyes of the Government long ago, but we wonder that it sits unmoved and does not even concede to the most reasonable demands of the public.

A few other objections were raised and I will deal with them one by one very briefly. Sir Sayad Mehdi Shah said that even under the present rules the zaildars were being appointed by election. If he quite believes that it is so he should have heartily supported the resolution because it also proposes to introduce election instead of nomination.

Then some of the honourable members said that most of the present zaildars are very honest and capable persons like our venerable old man Sir Sayad Mehdi Shah. I admit that there are honest zaildars even now though their number is very small and in the beginning of my speech I had left a margin of 20 per cent. for them, but I may let the House know that even this small percentage becomes still smaller because most of them get soon tired of the machinations of the police and leave the work to be done by their *sarbarahs*. That is why the honourable mover has asked in the second part of his resolution to stop the appointment of such sarbarahs.

The objection that the resolution is silent as to who will be the electors and who will be eligible for election, is not of much importance: these questions are all questions of details and the Government can afterwards make rules which will cover all these matters. I therefore find no difficulty which can stand in the way of accepting this resolution.

4 P.M.

Sayad Muhammad Husain: I move—

"That the question be now put."

The motion was carried.

Sardar Partap Singh [Jullundur (Sikh), Rural] (Urdu) : Sir, I think enough has been said about my resolution and I do not think it is necessary for me to say anything more.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, this afternoon's debate on this resolution of zaildars indicates how from small beginnings great things may emerge. When this resolution was moved, it was moved in a very short speech and I thought that nobody wanted to discuss this resolution. I thought it would be showing scant courtesy to the Council if I did not say a few words in reply. The ball was set rolling and we have spent more than two hours in discussing the question whether zaildars should be recruited in future through the agency of election or the present system of recruitment should continue. Well, in order to answer this question it is necessary for us to know what are the functions which a zaildar has to discharge. Various honourable members have given their ideas of the functions which the zaildars have to discharge. I think it would be in the interests of precision and accuracy if I were to briefly state what the duties of the zaildars are under the Land Revenue Rules. Rule 9 of the Land Revenue Rules says—

"The duties of zaildars are :—

(*i*) to report heinous crime to the police and Magistrate, to bring to their notice the presence in his zail of persons of notoriously bad livelihood, and to assist in the investigation and prevention of offences and in arresting criminals ;

(*ii*) to see that the Headmen, Chief Headmen and Patwaris of the zail perform their duties properly ; provided that the zaildar must not personally interfere in the performance of their duties by these officials except under directions from a competent officer ;

(*iii*) to render such assistance in the work of survey, crop inspection, preparation of records and assessments, or other branches of revenue administration within the zail as the Collector may require ;

(*iv*) to report any repairs necessary to Government buildings, roads or boundary marks within the zail ;

(*v*) to notify in the estates of the zail all orders of Government communicated to him for that purpose, and to obey all orders which require personal obedience from himself ;

(*vi*) to exert his influence to secure within the zail prompt obedience to all orders of Government and to abstain from interference with cases pending in the law courts except under orders from the proper authority ; and

(*vii*) to assist Government officers in the execution of their duties, to supply them to the best of his ability with any information they may require, and to attend on them when they visit the zail."

Now, Sir, a careful consideration of these functions would at once show that it is by no means the only duty of the zaildar simply to report secretly what is happening in different places. It is not intended that this person, semi-official some may call him, others may call him non-official should act as a medium of conveying the grievances of his electors. This official

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is intended to be a link in the administration of the country. Knowing this, we have to see what is the best mode of recruiting good men to perform this work. It is suggested that the best way to recruit this officer is by election. I pointed out in my short speech this afternoon that it was not right that those who were entrusted solely with the discharge of executive functions should be appointed through the agency of election and that comparatively speaking it would probably be better if they were recruited not by direct election. So far as I can recollect only one honourable member tried to meet this argument. But he hardly tried to meet it except by saying that in all parts of the civilised world this principle had long ago been discarded. If the civilised world of to-day is limited to the United States of America then I admit at once that he is right, but if there are civilised people outside America and if there are civilised Governments outside that country, then I do not think he has in any way met my arguments. As for the present mode of filling these appointments, I have only to refer to Rule 5 of Land Revenue Rules from which it will appear whether that machinery is adequate or not. Rule 5 says :—

"In the appointment of zaildars regard shall not be had to any alleged hereditary claim, but regard shall be had among other matters to :—

(a) the extent of property in the zail possessed by the candidate;

(b) services rendered to the State by himself or by his family ;

(c) his personal influence, character, ability and freedom from indebtedness ;

(d) the degree in which the candidate is by race or otherwise fitted to represent the majority of the agriculturists who reside in the zail."

It is under this head that his capacity to represent the majority of the tribe of the zail comes in and it is in this respect that if he belongs to that category he is entitled to be considered as a representative of the people. Not only this, but there is the Financial Commissioner's Standing Order 21, paragarph 3 of which, as has been pointed out by the honourable member for Gujranwala, permits Collectors to have recourse to selection of zaildar, voting being limited to the headmen of the zail. It is said that it is a dead letter, I assume for good reason. But still that is the Standing Order which can be acted upon by any officer who desires to have recourse to it. I think, it is fair to argue that if no Collector has recently exercised the power given to him under this Standing Order, it is not because he does not know of the existence of this Standing Order, but because he has not considered it advisable to have recourse to it. Therefore, Sir, it seems to me that having recourse to election to fill this office and then to expect that office holder to perform all the duties entrusted to him is really expecting too much.

The honourable member sitting opposite made this point—why then have election in municipal committees ? My reply is because it is needed there. Well, Sir, it was my experience as Minister for Education that made me realise that in the municipal committees, the elected element does not come up to the expectations of the administration in the matter of reporting against their constituents who commit breaches of rules governing encroachments on the property of their municipalities. As long as it was a matter of deliberating over a policy, they were all right, but as soon as two matters came before them, either the appointment of office bearers or the question of

dealing with those who trespass upon the property of the local body, a good deal had to be learnt by them before a sense of responsibility in the matter was fully developed.

I am not, Sir, entirely hopeless in the matter. I trust we will gradually develop that sense of responsibility. If the honourable member were to read the annual reports of the administration of local bodies during the last four years he will find that the Ministry of Education always drew the attention of the people concerned and of the public to this little drawback in the administration of local bodies by the elected members of those bodies. This little defect in the administration of local bodies becomes considerably magnified when it is applied to the case of an office like that of a zaildar. He has got no deliberative function. He has no function other than that of, if that peculiar expression may be used, a non-official official of Government. That is his position. A very peculiar position I grant, still after hearing the statement of his duties you can see for yourself that he is a non-official official of Government and nothing short of it.

I see, Sir, that unfortunately during the course of this debate we have managed to get into all sorts of sideways, pathways and byeways which it was not necessary for us at all to tread. It has been said, and I believe ungenerously, that the zaildars are a bad lot, that they are a sort of go-betweens in the matter of corruption. This is due to the tendency to generalise from the unfortunate instances that might come to the knowledge of individual members. It would be, Sir, equally wrong on the part of the zaildars who do not belong to the honourable profession to which I belong and to which some members who attacked the zaildars belong, the profession of law, to say that it is a general complaint now that the judicial officers would not be corrupt unless it be through the medium of lawyers. It is asserted very generally, but it would be wrong for us to say that the profession of law is vitiated simply because a few of them are alleged to negotiate bribes from clients to judicial officers. It would not be right and yet it is so easy to generalise in this way. Sir, I would, with your permission, point out to the House that when there is a particular proposition before the House for discussion and decision it is not right to begin to generalise with reference to the people who are not before the House to defend themselves. It discourages honest people; it casts reflections on people on whom this House may not have intended to cast reflections. I count among the zaildars men who are of undisputed probity, honesty and integrity, men who have served the cause of education in this province during the last five years without any motives other than those of patriotism and the desire to help their countrymen, who have helped the cause of public health, of medical relief and co-operation, for reason no other than those which sway the most noble minded citizens of the Punjab and of the Empire. I must, therefore, here acknowledge the good work that the zaildars and lambardars have done for the beneficent departments, and I have no reason to believe that except in very exceptional cases where temptation was put in their way, there is no reason to believe that they are not as good as any of us.

I think, Sir, I have said all that I had to say on this vexed question. I have only one more point to clear up. It should not be understood that I, for one, associate myself with any disparaging remarks that might have been made in this House on the institution of election. We stand wedded to it. We are trying that system and we hope to show that the system we have adopted is a good one and through it we will show how public spirit

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can be evoked and developed in this country. My attitude in connection with this resolution has got nothing to do with the institution of election as such. I have in my time introduced and helped to pass measures, made rules and passed orders which have introduced the system of election in a large number of local bodies and given franchise to a large number of people. It is my wish that the franchise of this Council also, in course of time may be extended, if possible (Hear, hear). This, however, does not mean that the office of zaildar should be filled by election. With your permission, therefore, Sir, I would say that I very much regret that I cannot accept this resolution, as I do not think that it is in the interests of either the country or of good administration. The Standing Order which enables the Deputy Commissioners and Collectors to have recourse to the limited election is not a dead letter so far as Government is concerned and whenever any officer feels inclined to have recourse to it Government will not intervene and say "No, you should not have recourse to it". (A voice: It is a dead letter.) It may be, but the lawyers who appear in these cases can represent the point to the Collectors. Anyhow that is a matter which is beyond my province. I, for one, have no objection whatsoever to the limited election that exists under the Standing Orders being tried in this case. The resolution, as I said before, I regret I cannot accept. (Cheers).

Mr. President: The resolution stand divided into three parts. I will put each part separately to the House. The first part is—

> "That in future vacancies in the post of zaildars and sufedposhes be filled by election and not by nomination."

The question is that that part be adopted.

The motion was lost.

(After Mr. President had announced the result, Lala Bodh Raj and Professor Ruchi Ram Sahni asked for a division.

Mr. President: I wish to make it clear that if any member of the House wishes to claim a division he should stand up in his place and challenge my decision before the final result is declared. I have already announced the result and therefore, am not prepared to re-open the question.

Professor Ruchi Ram Sahni: I did rise in my seat, Sir.

Mr. President: I wish to point out that after putting all the three parts separately I shall put such of them as are adopted by the House as one question and any member who wants a division may claim it then. The second part is—

> "That the existing system of appointing sarbarahs of zaildars and sufedposhes be stopped."

The question is that that part be adopted.

The motion was lost.

Mr. President: The last part is—

> "If a zaildar or a sufedposh be unable to attend to his duties by reason of his illness or on account of some private business he may be granted leave for a period not exceeding three months which may in special circumstances be extended to a period not exceeding six months, and some one else be appointed to officiate for him during his absence if necessary."

The question is that that part be adopted.

The motion was lost.

Mr. President: The resolution moved is—

"This Council recommends to the Government—

(a) that in future vacancies in the posts of zaildars and sufedposhes be filled by election and not by nomination;

(b) that the existing system of appointing sarbarahs of zaildars and sufedposhes be stopped; and

(c) if a zaildar or a sufedposh be unable to attend to his duties by reason of his illness or on account of some private business he may be granted leave for a period not exceeding three months which may in special circumstances be extended to a period not exceeding six months, and some one else be appointed to officiate for him during his absence if necessary."

The question is that that resolution to adopted.

The Council divided: Ayes 23, Noes 39.

AYES, 23.

Sardar Buta Singh.
Sardar Narain Singh.
Sardar Jodh Singh.
Sardar Tara Singh.
Mian Abdul Aziz.
Sardar Randhir Singh.
Sardar Bakhtawar Singh.
Sardar Gurbakhsh Singh.
Maulvi Mazhar Ali, Azhar.
Rana Firoz-ud-Din Khan.
Sardar Har Chand Singh.
Sardar Partap Singh.
Sardar Dhira Singh.
Dr. Gokul Chand, Narang.
Professor Ruchi Ram, Sahni.
Lala Sham Lal.
Captain Dhan Raj, Bhasin.
Lala Bodh Raj.
Rai Bahadur Lala Sewak Ram.
Lala Diwan Chand.
Lala Mohan Lal, Bhatnagar.
Rai Bahadur Lala Dhanpat Rai.
Mr. Labh Singh.

NOES, 39.

Mr. W. P. Sangster.
Colonel C. R. Bakhle.
Mr. C. A. Barron.
Mr. C. M. King.
Mr. H. W. Emerson.
Khan Bahadur Nawab Muzaffar Khan
Sir George Anderson.
Mr. A. R. Astbury.
The Honourable Rai Sahib Chaudhri Chhotu Ram.
The Hon'ble Mian Sir Fazl-i-Husain.
The Hon'ble Sir John Maynard.
Mr. J. G. Beazly.
Mr. Miles Irving.
Mr. B. H. Dobson.
Mr. J. M. Dunnett.
Mr. H. W. Webb.
Mr. Owen Roberts.
Mr. J. Coldstream.
Khan Bahadur Shaikh Abdul Qadir.
Munshi Fazal Khan.
Sardar Bahadur Sardar Jowahir Singh.
Khan Sahib Lieut. Malik Muzaffar Khan.
Rai Shahadat Khan.
Khan Bahadur Sir Sayad Mehdi Shah.
Sayad Husain Shah.
Shaikh Faiz Muhammad.
Subedar-Major Farman Ali Khan.
Lieut. Sardar Sikandar Hayat Khan.
Khan Haibat Khan Daha.
Chaudhri Ghulam Muhammad.
Chaudhri Noor Din.
Chaudhri Sahib Dad Khan.
Khan Sahib Chaudhri Muhammad Shafi Ali Khan.
Mr. V. F. Gray.
Makhdumzada Sayad Muhammad Raza Shah Gilani.
Sayad Muhammad Husain.
Chaudhri Duli Chand.
Chaudhri Ram Singh.
Chaudhri Kesar Singh.

The motion was lost.

RESOLUTION RE COMMITTEE TO ENQUIRE INTO THE DAMAGE CAUSED IN THE HOSHIARPUR DISTRICT BY HILL TORRENTS.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural]: Sir, I beg to move:—

"This Council recommends to the Government that a committee consisting of Diwan Bahadur Raja Narendra Nath, Sardar Bakhtawar Singh, Chaudhri Afzal Haq, the mover (Pandit Nanak Chand) and four officials be appointed to examine the question of damage done in the Hoshiarpur district by "Hill Torrents" and to report whether the measures hitherto adopted to prevent this damage have produced satisfactory results, and whether other measures adopted in other districts to prevent similar damage have proved more effective and are suitable for adoption and introduction in the Hoshiarpur district."

Sir, it is necessary for me to explain to Honourable Members of this Council what these hill torrents are and how they affect and cause damages in the Hoshiarpur district. The area of Hoshiarpur as given in the Gazetteer of the district is that it is 94 miles long and 20 to 32 miles in breadth. The population of this district as given in the last census is 927,000. This population is mainly agricultural, that is to say dependent for their livelihood upon the profession of agriculture. This district is a district of small landholders. According to Mr. Darling, the average holding in this district is from 4 acres to 8 acres.

What are these hill torrents which are popularly called *chos* or *kuds*? During the rainy season whenever there is any rain, the torrents from these small hills which are called Siwalik range or Katardhar as they are popularly called, these torrents come down from these hills, go through the plains leaving behind their marks. To-day large plots of land may be smiling with crop, to-morrow they may be turned into a sort of desert on account of the action of *chos*. These small landholders who are mainly dependent upon agriculture for their livelihood find that in a very short time their properties which were worth hundreds or thousands of rupees turn merely into waste lands incapable of producing anything further in future. This fact is distinctly referred to in the Gazetteer. At page 4 of this Gazetteer, it is said that "lands once destroyed never entirely recover their original fertility." Not only this, but the damage caused to the district is that sometimes there is the loss of human lives, loss of cattle and sometimes whole houses are swept away by the velocity of these hill torrents. I particularly refer here to one *chos* or *kud* called Swan in Una Tahsil. I have made personal enquiries on the spot and I found a large number of people also told me about this that every year four and sometimes five persons lose their lives. Well, Sir, on an important election campaign, I had to pass through the same *chos* near Una Tahsil. It is two miles broad. Now, fancy, Sir, that you are going on your election campaign in the rainy season and that you are on your horseback and that the hill torrent comes down. You are at once swept away with your horse and you lose your life. Fortunately for me, I undertook this journey during the month of October. This Swan has been in existence for the past several years and the people have been losing their lives and many cattle also have been losing their lives. A few month ago, four or five people from the neighbouring tract came to me and said: "Well, Sir, our whole village is destroyed on account of these hill torrents. We sent you to the Council. Can't you do something for us."? These villagers have got curious ideas of the powers of the councillors. They seem to think that we can grant them squares of land and can make up for their loss in many ways. At least, there is one duty which lies on all

of us and it is this: that we should be able to place their grievances before the Council and draw the attention of the Government to the miserable state in which the people in Hoshiarpur District live. In times past, the Government recognising the danger and the damage caused to this district on account of these *chos*, passed an Act which is called the Punjab Land Preservation (Chos) Act of 1900. This Act armed the Government with many drastic powers. In section 10 and in other sections it will be found that the Government was given ample powers by which it could take property of the private people and eject those who live on it or cultivate it for growing forest thereon. Now, this Act has been working for the last 25 years and I must say that the result of the working of the Act has not at all been satisfactory. Moreover you cannot possibly achieve satisfactory results merely by passing a law of this kind. I understand a committee was appointed in the last Council and it made its report which I have got in my hands. Unfortunately the enquiry made by this committee was limited merely to the working of the Act. The committee was not called upon to make any suggestions whether it was possible to find other remedies or other methods for preventing damage and for giving relief to those people who have suffered on account of the action of these *chos*. I gather from this report that this committee merely confined its report to the working of the Act. Paragraph 3 of this report says :—

"The main objections urged against the Act by the people are—

(1) That it tends to extinguish directly and indirectly the proprietary rights of the people.

(2) That it has taken away the will and power of the people to protect their lands and has placed them at the mercy of guards who use their position to the prejudice of the forest and to their own advantage.

(3) That the penalties under the Act are too harsh in that for ilicit browsing and grazing not only are the people fined but their animals are confiscated.

(4) That nothing has been done to improve the hillside in the form of planting and regulating the flow of water beyond the appointing of guards.

(5) That the Tahsildar in charge has been employed to do judicial and revenue work and is not in touch with the people or his subordinates. He has no training in arboriculture or engineering and has done nothing to justify his position as a forester."

These objections show that the committee merely went into the working of the Act and did not go into the questions connected with chos and the damage which these *chos* or *kuds* do in the Hoshiarpur district. My object in moving this resolution before this Council is that there is a need for further enquiry, that the former enquiry was limited in its scope and it could not possibly cover all the points which ought to have been covered by a committee which sought to make recommendations to the Government for the protection of the lives, and property of the people living in this district. Now, for example, I should have liked this committee to make a report as to what amount of land was under the *chos* before the Chos Act was passed, what amount of land was recovered on account of the working of this Chos Act. I have seen a few maps attached to the report of this committee which show that here and there some lands were reclaimed.

[Pandit Nanak Chand.]

Unfortunately the report does not give us accurately the total area which was under *chos* before 1900 and which has been reclaimed by the Government on account of the working of this Chos Act. From the evidence given by most of the people, I find that in certain tracts of the Hoshiarpur District *chos* have not done in any way less damage but that they have done greater damage.

I should have liked to see in the report of the committee a mention of the amount of money the Government has spent out of the provincial funds for reclaiming these lands or for improving those whole tracts which the Government took in possession under the power granted to it under the Chos Act. I should have liked the committee to go further into the question of finding out whether there are similar problems in other districts of the Punjab and what methods the Government is adopting there for the preservation of the lands in those districts and even whether there is such a problem outside the province and if so how that problem is being dealt with there. Now, Sir, I should have liked to see that this committee should have gone into the question whether some sort of bridges could be built upon these *chos* and especially on the Swan where a large number of people have to pass everyday for transacting business in the different tahsils or towns. These are the various questions which should have been covered and into which an enquiry should have been made by the committee appointed by Government. For, I wish to impress upon the members of this Council that the damage done to the people in the Hoshiarpur district is very real and the people have been reduced to the point of starvation and in some cases, as I have already said, many human lives and lives of cattle have been lost. Now, Sir, I do not intend to go into the question at length, as to what steps should have been adopted by the Government for the relief of the people in the Hoshiarpur district, nor do I think I am an expert in a question of this kind. But I would like to give a few suggestions which might be considered by the Government or by the committee if the Government agrees to appoint such a committee. One is that relief in some cases is immediately needed. As I have already said, it sometimes happens that the whole village is swept away and the people living in that village find that their only means of subsistence is gone and they are unable to find any work and the result of that is that they have to suffer and starve. In a case of this kind Government should appoint a committee or an officer who should listen to the grievances of these people and should recommend the deserving for the consideration of Government for the grant of squares of land on easy terms. These people are agriculturists and they do not know any other occupation. It is impossible for them to earn a living in any other way. The only way open is therefore to give them on easy terms land which the Government possesses. That is one way in which the misery can be relieved immediately. I have read this report very carefully and I find that the people in some cases who were induced to plant certain kinds of grass had to reclaim the land afterwards, because they were not rewarded for it. The statement of one gentleman is very interesting. He says that he spent a large amount of money out of his pocket and made it so attractive for the officers, but somehow or other he was not rewarded and he had to cut the shikhargah and the result of that was that the land became liable to the action of the *chos*. This is what he says :—

> "Discouraged by the lack of interest on the part of officers, I directed my son to break the *rakh*. He made sufficient area out of it

culturable. He can now earn equal to the pay of an Extra Assistant Commissioner, after spending a note time in sport and recreation. Though out of disappointment I have allowed my son to break the *rakh*, but I consider it injurious to the interests of my reversioners and Government. Because if the *cho* water makes its way through other villages and passes through this area, it can destroy the culturable land of Bhaliala and other villages in no time. I, therefore, bring this to the notice of the members of the committee, and request that proprietors of the villages through which the *cho* runs should be strongly recommended for grant of squares of land so that they may not be obliged to break the *cho* land."

There is thus a second suggestion that those who help in reclaiming these *chos* should be rewarded by the grant of land on easy terms in the new colonies.

Then, Sir, my third suggestion is that that the question of having bunds and well-defined narrow channels for the flow of these hill torrents should be considered. This question also should be considered by an expert appointed by the Government in this connection. I understand that in the Gurgaon district these bunds have been utilised. If these bunds are constructed as also well-defined channels, the damage can be lessened to a great extent. Then, Sir, as was said in the report, I find from the recommendations made by the committee that the proprietors have got an apprehension that the lands really belonging to them are now going to be occupied by the Government permanently. This apprehension has to a great extent stood in the way of reclamation of these *chos*. Many people who gave evidence on this point have given expression to their fear and the recommendations distinctly show that the Government has been asked to make it clear to the proprietors that their lands will be safe and that their proprietary rights will not be interfered with. For this purpose also a suggestion is made by one witness that these suggestions should be carried out. This suggestion is not contained in the recommendations made by the committee. The suggestion is this. He says :—

"I suggest the following amendment. Five members from each of the tahsils lying in the Katardhar may be elected. These members may be considered advisors of the Tahsildar, Katardhar, for their own tahsil. Tahsildar, Katardhar, should be the President of all the tahsil committees. All affairs of Katardhar may be decided by these committees. Should Tahsildar, Katardhar, disagree with the members on a certain point, the matter may be referred to the Deputy Commissioner whose decision may be considered final and binding on all concerned. This will, to some extent, redress the grievances of the persons living in Katardhar."

Now the suggestion which I would like the Government to adopt is that in the management of the Katardhar if it is not made over to them, the representatives of the different villages who own this Katardhar should be associated. A direct interest should be created in them either by giving them power of planting trees or in some other way. They should be made responsible in some way or other for the management of this Katardhar so that they may feel that their proprietary rights are not going to be interfered with by the Government and that they are safe in the hands of the Govern-

Pandit Nanak Chand]

ment and this committee which has been recommended by Pandit Beli Ram, proprietor of Bhaliala.

One grievance of the people which we have on more occasions than one placed before this Council is that the people are afraid of these guards who have been placed at Katardhars. The real working of this Act has been carried on in a very unsatisfactory manner. While in most cases the Chos Act has failed to protect the forests or help the growth of forests, these guards have been able to make large sums of money from the people who wanted to graze their cattle on their own lands. This is a very genuine grievance and a large number of people whom I had occasion to meet always complained against the exactions of these guards. Last time when this matter was brought forward by me before the Council, the then Honourable Revenue Member (Sardar Bahadur Sardar Sundar Singh, Majithia) gave an assurance that this matter will be looked into. I hope that the Government will look into the matter. The first thing they should do is to dismiss all the guards and appoint more honest men. Their appointments may as well rest in the hands of a committee consisting of one Government member and the proprietors—the committee about which I have already made a reference.

Well, Sir, my object, as I said, is not to insist for the appointment of the committee referred to in my resolution. What I am genuinely desirous of is that these grievances of the Hoshiarpur people should be seriously considered by the Government. By the passing of the Chos Act and by working it the Government has not been able to relieve the misery of the people. I have already submitted in the beginning of my speech that very often you find smiling fields turned into deserts. How are you going to help these people? Hoshiarpur is a very beautiful district and I am proud of representing it in this Council. It is one of the most intelligent districts and the intelligent people should not be made to suffer for their intelligence. The Government should come to their help. The Land Alienation Act also stands in the way of these agriculturists. On account of this Act the agriculturists even are not able to buy land outside their district. They are prevented from purchasing land from outside the district even though they are agriculturists. A large number of people of this district go out to Australia, Africa and America and bring back large sums of money to their homes but they find themselves unable to purchase lands because, as I submitted, there are very small holdings in the district and they are prevented from purchasing lands outside the district on account of the Land Alienation Act. This Act is meant to give protection to the agriculturists but in this particular matter the Act stands in their way. So, I submit that these grievances of the people are very real and genuine. There are three or four representatives of the Hoshiarpur district in this Council and whenever they tour in their constituency they are always met with these objections and are asked, "what are you doing for us? We are dying, we are starving here on account of these *chos*. Do something for us; otherwise, what is the use of your going to the Council?"

I wish that for a month or two I were the Revenue Member so that I may give squares of land on easy terms to these people.

5 P. M.

I hope and trust that the Financial Commissioner and the Honourable the Revenue Member will listen to the voice of the poor agriculturists in that district who find that even their occupation is gone and that they are rendered homeless on account of the action of these *chos*. On

account of the *chos*, sometimes they lose their lives and sometimes their near and dear ones lose their lives. With these few words, I wish to commend my resolution for the acceptance of the Government and the House.

Mr. President : The resolution moved is—

"This Council recommends to the Government that a committee consisting of Diwan Bahadar Raja Narendra Nath, Sardar Bakhtawar Singh, Chaudhri Afzal Haq, the mover (Pandit Nanak Chand) and four officials be appointed to examine the question of damage done in the Hoshiarpur district by 'Hill Torrents' and to report whether the measures hitherto adopted to prevent this damage have produced satisfactory results, and whether other measures adopted in other districts to prevent similar damage have proved more effective and are suitable for adoption and introduction in the Hoshiarpur district."

The question is that that resolution be adopted.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu) : Sir, my honourable friend Pandit Nanak Chand has very well ventilated the grievances and pitiable plight of the poor people of Hoshiarpur district and also has enumerated the causes of these hardships and grievances. In fact, the state of affairs in the Hoshiarpur district is very deplorable owing to the operation of hill torrents and *cho nalas*. I believe only a small number of honourable members here is acquainted with the actual state of affairs. About sixty or seventy miles in length in the eastern direction there are situated the well-known Siwalik Hills. From these hills a good many *nalas* come and pass through the entire breadth of the Hoshiarpur district. These torrents bring silt, sand and shingles and pebbles along with them and thus do a considerable damage to agricultural lands. To give an idea of the extent of these streams I may mention that to the north of Hoshiarpur at a distance of about 9 miles there stands a village called Hariana and as many as nine streamlets cross this distance each having a width of about 2 or 3 furlongs. Similar state is to be observed towards south of Hoshiarpur, with this difference that the *chos* (streams) crossing the Garhshankar road are 5 to 7 furlongs in width. These *nalas* flow very rapidly during the rainy season and bring with them always a huge quantity of silt and sand. Their erosive action destroys the agricultural lands to a great degree. Sir, I have only mentioned about the southern and northern portions of the district but I am prepared to say that nearly the whole tract, which lies between the Sutlej and Beas, is subject to the erosive action of these hill torrents. I have only made a reference to a small portion of the district for the sake of illustration, otherwise a very large area is laid waste owing to the operation of these *nalas*. Some times back, I understand, that the inhabitants of Mauza Naloyan made a complaint to the Deputy Commissioner with regard to the present condition and probably they also sent a representation to the Government to the effect that nearly one-third portion of their lands was under the erosive operations of *chos*. Sir, you can well imagine the poor plight of the zamindars, who solely live upon cultivation, when one-third of their lands is thus laid waste and rendered unfit for cultivation. Owing to these *chos*, which cause a very great distress to the people, a good many zamindars have left their homes to eke out their livelihood elsewhere. In order to put a stop to these destructive operations, the Government passed the Chos Preservation Act in 1900 and thereby arranged to make the Siwalik Hills with an area of about 2 or 3 miles of the plains at the foot of the Siwalik Hills as reserved forests. In this connection, Sir, I cannot refrain from pointing out that the provisions of the Act and its working gave rise to

[Rana Firoz-ud-Din Khan.]

many complaints. On the one hand certain clauses of the Act created an apprehension that the Government wanted to forfeit proprietary rights, and the acquisition of proprietary rights of land in village Maili only 12 miles from Hoshiarpur lent strength to this fear, while on the other hand the corruption and mal-practices of forest guards were taken exception to. But I need not dilate upon them further as my friend the mover has fully dealt with them. Government appointed a committee in 1923 to enquire into the defects of the Chos Preservation Act and to report the changes which might be more effective in the working of the same. I have seen the report of the committee. Some of the suggestions are very valuable indeed and can be safely acted upon. But what I wish to point out is that the terms of reference of this committee were limited to the Chos Act. The committee could not go beyond the terms of reference which were exclusively meant for the operation of the Chos Act.

Sir, the Chos Preservation Act applies directly only to the hill tracts and areas of land which are 2 or 3 miles distant from the Siwalik Hills but this resolution covers not only the areas, which are adjacent to Siwalik Hills and the lands which come directly under the operation of *chos nalas* but it covers all the lands and areas through which these *nalas* and torrent pass. The resolution provides that a committee should be appointed to find measures for prevention of the damages caused by these hill torrents.

Sir, this matter is a very important and delicate one. A majority of the population of the Hoshiarpur district consists of agriculturists who are put to a lot of trouble due to these hill torrents. The district too is a fertile one and Government shall also have to sustain loss by way of decrease in land revenue. It would be in the fitness of things that immediate measures be adopted to alleviate the grievances of the poor zamindars of this district. Their plight is simply deplorable, and immediate relief is called for.

Now, Sir, we have to see what measures can be adopted so that the present grievances of the zamindars may be redressed once for all. Should we appoint an enquiry committee of laymen, or leave this important problem to be solved by expert hands? In my opinion, Sir, the enquiry committee will do no good. We should seek the help of experts who can very well look into this problem and see how the water of these *cho nalas* and hill torrents can be utilised for irrigation purposes. There are several ways of making this water useful for agriculture. For instance, a very large reservoir may be constructed to collect water during the rainy season to be utilised for irrigation during the course of the following year. We can plant shrubs and trees of a special kind on the banks of these streams and *nalas* which might be utilised as a barrier against the ingress of sand, pebbles and shingles. But these plants and trees should be grown on the banks of these *nalas* by the zamindars themselves, with the advice of the experts and local authorities; the zamindars should not be forced otherwise they will become suspicious. The agricultural experts can easily find such plants and trees which can serve as a preventive measure. Experts should also consult the local zamindars as to the local conditions. Some times these men do suggest useful things which are unknown to the experts. Sir, my humble submission is that it falls within the province of the experts only to find and explore the ways and means by which the water of these torrents can be made useful and utilised for agricultural purposes. Any committee of official or non-official members cannot be of any useful purpose. Had the

Government denied the redress of these grievances, it would have been necessary to appoint a committee as proposed but in the present case there is no such denial; the Government as a matter of fact has already admitted them and passed the Chos Preservation Act. This Act was passed in 1900. Later on in 1923 Government also appointed a committee to examine and report on the working of this Act. These facts very clearly show that Government has acknowledged the state of affairs which prevail in the district of Hoshiarpur.

Sir, if a committee of such persons is appointed, who know nothing about agriculture or forests or irrigation, it will be sheer waste of time, money and some amount of energy. Besides this the Government and the people will also be left in suspense as to when and what means and measures will be suggested for the reclamation of lands which have come or are likely to come under the destructive operations of these *nalas* and hill torrents.

Once more I beg to draw the attention of the Government members towards the pitiable plight of the poor and helpless zamindars of this district. Sir, during the current year when it rained these hill torrents and *nalas* flooded and devastated a considerable area of land. Several houses collapsed. People left their homes for good. Considerable part of the district was under the operation of these torrents and sand was found accumulated on thousands of acres of land. At some places the land was covered with sand from two to three feet thick. The Tahsildar went on tour and got plans of such lands prepared through the help of *patwaris* so that the land revenue of these lands might be remitted. My submission is that by these remissions of land revenue the loss of zamindars cannot be made good. It is highly important that these grievances should be redressed once for all. I quite appreciate the spirit in which my honourable friend Pandit Nanak Chand has moved this resolution but I may be allowed to say that the remedy which he has suggested, does not seem to be efficacious. It is the work of experts and experts only to make tours over the affected areas and after a careful and thoughtful consideration make some recommendations. These recommendations can be placed before another committee if desired or be laid on the table or be approved by means of another resolution. We should at least make an experiment. It is just possible that we may have to make many experiments one after the other, such as constructing bunds, planting shrubs, or making tanks, etc. Thus it is the expert investigation that we require and not an enquiry. With these words, Sir, I resume my seat.

Shaikh Faiz Muhammad: Sir, may I move my amendment?

Mr. President: No, the amendments* are not in order except so far as the relate to the personnel of the committee. It is only that part which is in order.

Mr. C. M. King: Do I understand that a part of the amendment dealing with the personnel will be allowed to be moved?

***By Chaudhri Dalli Chand:** That for the original resolution the following be substituted:—

This Council recommends to the Government that the Rural Sanitary Board be directed to examine the question of damage done in the Punjab by hill torrents and to report whether the measures hitherto adopted to prevent this damage have produced satisfactory results, and if not, what other measures will prove more effective.

By Shaikh Faiz Muhammad: (*a*) That the names of Khan Bahadur Nawab Muhammad Jamal Khan and Shaikh Faiz Muhammad be added as members of the proposed committee.

(*b*) That the words "Hoshiarpur and Dera Ghazi Khan districts" be substituted for the words "Hoshiarpur district" wherever they occur in the original resolution.

Mr. President: Only that part which relates to the personnel is in order. All other parts are out of order.

Mr. C. M. King: Will the honourable member be able to move that part only of the amendment?

Pandit Nanak Chand: Sir, it is one whole amendment and it cannot be divided.

Mr. C. M. King: That is exactly my point.

Mr. President: The honourable member has intimated to me through the Secretary that the only amendment which he wants to move is—

> "That this Council recommends to the Government that the Rural Sanitary Board be directed to examine the question of damage done. . . . ."

This much of the amendment can be moved. If the honourable member wants to omit the rest of the amendment I am inclined to allow him to move the portion relating to the personnel of the committee.

Chaudhri Duli Chand [Karnal (Non-Muhammadan), Rural] (Urdu): Sir, I beg to move—

> "That the following be substituted for the original resolution:—
>
> 'This Council recommends to the Government that the Rural Sanitary Board be directed to examine the question of damage done in the Hoshiarpur district by "Hill Torrents" and to report whether the measures hitherto adopted to prevent this damage have produced satisfactory results, and whether other measures adopted in other districts to prevent similar damage have proved more effective and are suitable for adoption and introduction in the Hoshiarpur district.'"

Sir, instead of referring this matter to a new committee to be constituted in accordance with the resolution under consideration, I would advise the Council to refer this matter to the Rural Sanitary Board. The Sanitary Board is sub-divided into the Rural Sanitary Board which is concerned with rural areas and the Urban Sanitary Board which looks after the welfare of urban areas. From the economic standpoint I submit that there is absolutely no necessity of constituting a new committee for the purpose. It is advisable to refer the matter to the Rural Sanitary Board. With these words I commend my amendment to the Council for its acceptance.

Mr. President: Resolution under discussion, amendment moved:—

> "The following be substituted for the original resolution:—
>
> 'This Council recommends to the Government that the Sanitary Board be directed to examine the question of damage done in the Hoshiarpur district by 'Hill Torrents' and to report whether the measures hitherto adopted to prevent this damage have produced satisfactory results, and whether other measures adopted in other districts to prevent similar damage have proved more effective and are suitable for adoption and introduction in the Hoshiarpur district."

The question is that that amendment be made.

At this stage I wish to point out that the debate will be confined only to the amendment proposed by Chaudhri Duli Chand.

Pandit Nanak Chand : Can I speak on the amendment, Sir ?

Mr. President : Yes.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural] : Sir, I entirely fail to understand the sense of the amendment moved by my friend Chaudhri Duli Chand. Chaudhri Duli Chand wishes the question to be investigated by the Rural Sanitary Board. Now, Sir, I submit that this matter which I have placed before the Council is not within the jurisdiction of the Sanitary Board. The Sanitary Board deals, if I understand aright, with the question of sanitation. He might as well ask that this matter be considered by the Jail Committee or by the Education Committee. I have raised a definite matter on which I wish Government to concentrate its attention. Government may accept the resolution or it may not. Government may find certain other methods to give effect to the spirit of my resolution. It may suggest other means. Now a suggestion was thrown out by Rana Firoz-ud-Din Khan that this was a matter to be considered by experts. I entirely agree with him and that is why I suggested four officials to be included in the committee. Now Chaudhri Duli Chand wishes that the matter be considered by a body who have no jurisdiction over the subject in question and whose legitimate work may be already very heavy. I therefore submit that the Council should not accept the amendment.

Mr. President : Resolution under discussion, amendment moved—

"That the following be substituted for the original resolution :—

'T is Council recommends to the Government that the Rural Sanitary Board be directed to examine the question of damage done in the Hoshiarpur district by 'Hill Torrents' and to report whether the measures hitherto adopted to prevent this damage have produced satisfactory results, and whether other measures adopted in other districts to prevent similar damage have proved more effective and are suitable for adoption and introduction in the Hoshiarpur district.' "

The question is that that amendment be made.

The motion was carried.

Mr. President : The Council will now proceed to discuss the resolution as amended.

Chaudhri Afzal Haq [Hoshiarpur-*cum*-Ludhiana, Rural] (Urdu) : Sir, I would proceed briefly with what I have to say in connection with the resolution under consideration. It cannot be denied that every now and then the Government has been paying its attention to the serious situation created by the hill torrents in the Hoshiarpur district. But so far as I have been able to find out, I have come to this conclusion that the Government has not fully realised the sufferings of the people in this connection. It has not tried to ascertain the actual damage done to the Hoshiarpur district on account of the hill torrents. In the Administration Reports of the district it is recorded that the average holding of a zamindar in that district is about 4 acres of land. Sir, this average of 4 acres includes that land as well which is rendered unculturable on account of the sand deposited by these hill

[Ch. Afzal Haq.]

torrents. It also includes the mountainous lands and the lands where the water of the hill streams gets accumulated in the shape of natural tanks or ponds. Sir, if we leave out such lands and work out the average we would find that it would hardly come to 2 acres per head. Moreover, Sir, the fact that most of the inhabitants of the district have gone over to other foreign countries in search of livelihood shows that they could not maintain themselves and their families in their home districts. As I have already said, Hoshiarpur and Ludhiana are the only two districts, perhaps with another exception of Sialkot, where land products are insufficient to meet the demand of the people. They have to import grains for their use from other districts. This does not show that the number of zamindars in these districts is small as compared to the number of the zamindars of other districts of the province. The reason is simply this that the lands in these districts are rendered uncultivable on account of hill torrents. To remedy this evil the Government passed the Chos Act of 1900 and the results produced by it are better known to the people themselves. It, in no way, relieved the people of their misery but added something more to their sufferings. Not long ago a committee was appointed to report on the working of the said Act. The report submitted by the committee is still before us. It recommended that some changes should be effected in the Act. But, Sir, I am not going to suggest any special measures which may be adopted in order to deal with the present situation that has come into existence in the Hoshiarpur district on account of the hill torrents. Here, Sir, it would not be out of place if I bring it to the notice of the Council that the measures adopted in case of Ambala and Rawalpindi districts have produced no good results. In case of the Rawalpindi district these measures have specially failed. Sir, I am not at all concerned with the question of constituting a committee which may consist of experts or lay men but what I want to know is the extent to which the sympathies of the Government go with us. It entirely rests with the Government to accept or reject the resolution but I would ask the Government to say what they feel on the point.

Mr. C. M. King (Financial Commissioner): Sir, whatever may be thought of the merits of the original resolution, I think the honourable mover of the resolution and those who spoke after him have quite established the fact that owing to these *chos* in the Hoshiarpur district, the condition of affairs is such as to cause very great distress to the people. Government cannot but be affected by that distress and desires to take what steps are possible to alleviate it. I myself am particularly interested in the Hoshiarpur district, because it is the first district I was posted to on arrival in this country as Assistant Commissioner and I have a very lively knowledge of the *chos*. In fact, I very nearly ended my career by sinking into one of them, so that I can assure the honourable mover of the resolution and other members from the Hoshiarpur district that all my sympathies are entirely with them. I turn now to the actual amended resolution as it is before us. That resolution simply asserts that the question should be referred to the Rural Sanitary Board who should examine it in the way in which the honourable mover of the resolution desired. There is some misapprehension as to what this Rural Sanitary Board is. In speaking to the amendment Pandit Nanak Chand was evidently of opinion that its functions were not such as to cover an enquiry of this nature. I think my honourable friend Pandit Nanak Chand is misled by the name of the Board. As a matter of fact the Rural Sanitary Board is a very much enlarged Board which will carry on and carry

out many of the functions of the old Drainage Board. You will have the Drainage Engineer on it and you will not only have all the experts whom Rana Firoz-ud-Din and the honourable mover want to appoint but you will also have a large number of representatives of the public, many of them members of this Council. It is really a body quite suited to carry out the enquiry which Pandit Nanak Chand wishes to have. So much, Sir, for the amended resolution. I think I ought to say something as to what has been done in the past on the report which was submitted by the special committee of enquiry which was appointed by Sardar Bahadur Sardar Sundar Singh, Majithia, while he was the Revenue Member in consequence of his promise made in this Council. That committee worked for about two years and it has submitted a report which has been laid on the table of the House. Altogether the inquiry lasted for two years up to and including the time required to print the report and the time during which orders were considered and passed on it. The main points made by that committee were that the amendment of the Chos Act was necessary, that the Chos Act as it stood had created apprehensions in the minds of many people that Government intended to acquire their lands by means of this Act. Such was not the intention of the Act as we read it. The Government desires to remove all possible, all sorts of, apprehensions and therefore the Legal Remembrancer has been asked to draft an Amending Act which will have the effect of removing all such apprehensions so that people who have hitherto entertained the fear that it was the intention of Government to acquire their lands permanently may no longer entertain that fear in future. In fact the Government has done more than that. That is merely a small part of the orders passed in consequence of this report. There are certain other complaints made, notably as regards the forest guards. As usual in all such cases, the forest guards were held to be monsters of iniquity. Various allegations such as that they were ravaging the people and so on were made which were ultimately found not to be true. There was however undoubtedly a case made out that the forest guards were very unpopular and it was desirable to replace them by some other effective agency. In fact they were so unpopular that it was suggested that chaukidars should be appointed in their place and people were even willing to pay for these forest chaukidars. Such at any rate was the proposal made by one witness before the committee and this proposal was considered by the committee and I think the committee also recommended that the people who want to avail themselves of chaukidars should be given such chaukidars. The Government have so far accepted the resolution and they have given orders that forest chaukidars should be appointed, practically one for each village, in exactly the same way as village chaukidars are appointed; that is to say people will have a very large voice in the appointing of forest chaukidars to look after their forests just as they have in the appointment of village chaukidars to look after their villages, but Government will pay the whole cost of these men. The people had wished to appoint these chaukidars and even to pay for them themselves. But Government said: "No. We will appoint the chaukidars, you will have a voice in the appointment exactly as you have in the appointment of village chaukidars, but instead of making a charge or levy on you to meet the cost of the pay of these men, we shall bear the whole of the cost ourselves". So, in that way also the Government has gone further than the report of this committee. Then the Government has further gone a little beyond what the committee has reported in another matter. The committee reported on the terms of reference which were somewhat restricted, but the report was considered by

[Mr. C. M. King.]

Mr. Holland who is an expert in the Hoshiarpur district and Mr. Holland made certain suggestions which did not come within the report. He was also a member of this committee which made this report. Mr. Holland's extra report was further considered and part of his suggestions had been carried out. That is to say arrangements are being made for sowing *sanatha* on the bare slopes of the hillsides and also for reclaiming the actual areas of the *chos*. But we have gone even beyond that. My predecessor pointed out that under one of our Standing Orders—Financial Commissioner's Standing Orders—it was possible to make remission of land revenue if people took certain steps with regard to the preservation of their hillsides and prevented them from becoming disforested. Accordingly orders have been issued in this sense. I think perhaps I had better read the orders so that honourable members may know exactly what they are :

> "In order to enlist the sympathies of the people Government proposes to remit land revenue yearly on the lines of paragraph 6 of Standing Order No. 41."

This paragraph refers only to tree planting and it says that acre for acre if you have an area planted with trees, you can get remission of land revenue on a proportionate area in the cultivated land. Supposing a man plants 100 trees on one acre of *banjar* land which probably did not pay any land revenue or if at all only a very small land revenue, then he will, for his cultivated lands, receive a remission of land revenue equal to one acre and a half so that he benefits very considerably in that way.

The order goes on :—

> "The Deputy Commissioner should be asked to send up proposals for modifying it so as to make it applicable to the sowing of *sanatha* seeds."

(for the rules were applicable only to the planting of forest trees).

> "Indeed if the people show a hearty desire for really completing an effective closure, the Deputy Commissioner may go further and propose to grant them remission of land revenue of their whole village on account of such closed areas on similar lines."

That is to say even if they are bare hillsides without any sowing operations being undertaken therein and even if the people are merely prepared to undertake not to allow animals to graze or browse in those areas, the Deputy Commissioner will be able to give them remission of land revenue. But then it is pointed out that the actual closing of areas to grazing does not involve as much as the sowing of *sanatha* seeds and therefore it is said :—

> "While therefore a remission of 1½ times the incidence of land revenue on the cultivated area may well be allowed for every acre of land sown with *sanatha* or planted with forest trees, it will probably be sufficient to allow a remission of land revenue on one acre for every 20 or 30 acres of forest land completely closed to grazing."

That is to say, if in any particular village, you have the villagers getting together and closing to grazing the whole hillside along the Katardhar or the Siwalik—whatever it is that they wish to close—so as to facilitate the reproduction of forest growth up to 500 acres, then for every 20 acres—probably the matter has not yet been finally decided—they will receive a remission of land revenue on one acre of cultivated land. That is a further encouragement. It is possible that in some cases where the area of *banjar* land is very large, the village may obtain a remission of the whole land revenue on the cultivated area because it has effectively closed the *banjar* area to grazing. That is another step which is entirely beyond anything that was suggested by the committee. It is a great inducement to the people to come out and help themselves. I have very strong hopes that that inducement will prove in fact effective. I do not know, Sir, whether I need go into any of the further points raised by my friend Pandit Nanak Chand, but I can say this much that long before I was aware of his resolution I had intended to visit the Hoshiarpur district partly because I wanted to see my own district which I have not seen for a long time, but chiefly in order that I may see for myself on the spot how the orders of Government based on this report of the special committee, how these orders were being carried out. I propose to visit the *chos* area of the Hoshiarpur district this month. I shall be very glad if Pandit Nanak Chand and any other members of the Council who wish to do so will accompany me. I shall then be able to see for myself what the position is and if as a result of my tour I think that good is likely to result by any further enquiry or by any further arrangement, I shall be very glad to consider it and to recommend it to Government. That is the position. In conclusion I wish to say that Government entirely sympathises with the object of the resolution and for myself I can say personally that I will do all I can to relieve the people of the Hoshiarpur district of a calamity that is very hard for them to bear. (Cheers).

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural] : Sir, I am very thankful to the Government member who has just sat down for removing certain misapprehensions from my mind. I thought, perhaps wrongly, this Rural Sanitary Board deals with matters connected only with sanitation. I have already in my speech stated that I do not stick to this committee. What I want is that Government should concentrate its attention upon the *chos* in the Hoshiarpur district and the damage that these *chos* have done. I think I made it sufficiently clear in my first speech and I am very glad to find that Mr. King who has given his attention to this matter is taking a personal interest in the whole case. I have not the least doubt that when he goes to Hoshiarpur and meets a large number of people he will find what the wants of the people there are. Whether it is the Rural Sanitary Board or some other committee or one of the Government officials or Government experts should do this business, it is quite immaterial for me so long as the work is done. I shall be quite satisfied if the Government undertakes an enquiry and adopts certain other measures beyond the mere working of the Chos Act. I am very glad to find that Mr. King has made some other proposals which are likely to help the people of this district.

One other proposal which I submit is that these people who have actually lost the lands and have no means of livelihood should be given some lands by the Government on easy terms. That would relieve the misery of the people there. I am very glad that this resolution as amended is accepted by the Government.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, the resolution as amended restricts the discretion of Government as to the method to be adopted to solve this difficult problem. The amended resolution urges that reference be made to the Rural Sanitary Board who should advise Government as to the best means of dealing with this case. I understood from the honourable mover that such was not his desire. He wanted Government to have a free hand in using such machinery as it considered most effective in seeking advice for the solution of this problem. I think on the whole the view taken by the honourable mover in his last speech is more appropriate and it would be best to leave the Government free as to what expert advice it ought to seek and obtain. Therefore it would be best for the honourable mover to leave the discretion of Government unfettered and not to press this resolution as amended.

Pandit Nanak Chand : Do I understand that the Honourable Member for Revenue does not support Mr. King and accept the resolution ?

The Honourable Mian Sir Fazl-i-Husain : Surely the honourable member must have heard the speech of the Honourable the Financial Commissioner on the subject. What was voted for was the amendment ; and the Government accepted the amendment in substitution of the main resolution. If that were to be interpreted to mean accepting the amended resolution finally, surely there was no occasion for discussion after that. It was not the acceptance of the amended resolution, it was only acceptance of the amendment of the resolution. Surely the distinction is obvious.

Mr. President : The resolution as amended is—

"This Council recommends to the Government that the Rural Sanitary Board be directed to examine the question of damage done in the Hoshiarpur district by "Hill Torrents" and to report whether the measures hitherto adopted to prevent this damage have produced satisfactory results, and whether other measures adopted in other districts to prevent similar damage have proved more effective and are suitable for adoption and introduction in the Hoshiarpur district."

The question is that that resolution be adopted.

The motion was lost.

RESOLUTION RE. ENHANCEMENT OF LAND REVENUE IN THE ATTOCK DISTRICT.

Lieutenant Sardar Sikandar Hayat Khan [Attock (Muhammadan), Rural] : Sir, am I to understand that if I move the resolution now I will be allowed to continue my speech to-morrow ?

Mr. President : If the honourable member moves his resolution now and the Council adjourns in the middle of his speech he will be allowed to resume his speech to-morrow.

Lieutenant Sardar Sikandar Hayat Khan : Will you allow me to move the resolution to-morrow ? There are only five minutes left and it may not be covenient to deliver part of my speech to-day and the rest to-morrow ?

Mr. President : All I want to know is whether the honourable member wishes to move his resolution or not. If he does not move it now, it will be taken that he withdraws it. He may, therefore, either move it or withdraw it.

Lieutenant Sardar Sikandar Hayat Khan [Attock (Muhammadan), Rural] : Sir, I beg to move the resolution which stands in my name and which runs thus —

> "This Council recommends to the Government that the proposed enhancement of land revenue in the Attock district should not exceed 20 per cent. of the existing rates in any tract of the four tahsils of the district."

Sir, in the beginning I wish to point out that the information furnished to us regarding the proposed enhancement is to say the least about it, very scanty. The summary handed over to us contains some figures and remarks which do not help in gauging the real situation in the district, economic or otherwise. This meagre and one-sided information I understand has been culled from a voluminous report compiled by the Settlement Officer which is at present confidential and I believe will remain confidential till our fate is settled by the Government. The whole show is a one-sided affair and more or less savours of *ex-parte* proceedings. I endeavoured to get some information from the Government by putting a series of questions in this Council, but the Honourable the Revenue Member did not or could not see his way to enlighten me on the subject at the time. The trend of my questions was to show that the condition prevailing in the Attock district did not justify the undertaking of elaborate settlement operations. I also desired to make it clear that there was one and only one factor which could justify to some extent an increase in the land revenue, namely, the increase in prices; and that it was possible to adjust the rates without incurring expenditure on comprehensive and protracted settlement operations. The summary now published by the settlement officer brings us to the same conclusion. Although he has recommended an increase which by far exceeds the official figure of rise in prices, yet he has not given any cogent reason to support this increase unless it is mentioned in the bulky report which is still to be made public. It may be said, Sir, that one of the objects in undertaking a settlement is to keep the revenue records up to date and to do so it is necessary to revise them periodically. I admit that this is so, but I consider that it was possible to achieve this object without elaborate settlement operations at considerably less expense and at the same time save the people from the "dik" and worry of a full fledged *bandobust*. We have, however, been particularly fortunate in this respect and have nothing to complain of as far as this aspect of the settlement is concerned. We have been practically immune from the vexatious and baneful attentions of the smaller fry which make the people dread a settlement more than anything else. Sir, I take this opportunity to acknowledge our indebtedness to Mr. Barry, Settlement Officer, and Chaudhri Sardar Khan for their sympathetic attitude and for taking strict disciplinary action when called for to safeguard the zamindars from being harassed by their subordinates. I am not exaggerating when I say that in some parts of the district people did not know that a settlement was going on till the work had been finished. This is a proof, if proof was needed, of the keen supervision and sympathetic interest of the Settlement Officer and his assistants. I therefore deem it my duty to bring to the notice of the Government our appreciation and deep debt of gratitude which we owe to these officers.

The Council then adjourned till 2 P. M. on Wednesday the 13th January 1926.

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PUNJAB LEGISLATIVE COUNCIL.

7TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Wednesday, the 13th January 1926.

The Council met at the Council Chamber at two of the clock. Mr. President in the Chair.

ANNOUNCEMENT FROM THE CHAIR.

PANEL OF CHAIRMEN.

Mr. President: I have to announce to the Council that under Rule 3 of the Punjab Legislative Council Rules I have appointed the following gentlemen to serve on the panel of Chairmen for the present session:—

1. Mian Muhammad Shah Nawaz.
2. Malik Firoz Khan, Noon.
3. Mr. Owen Roberts.
4. Sardar Gurbakhsh Singh.

QUESTIONS AND ANSWERS.

The Honourable Mian Sir Fazl-i-Husain: Sir, with reference to my remarks of yesterday in connection with the answer to question No 2515,* I should like with your permission to read the answer to that question now.

Answer to Question No. 2515.

(*a*) (*i*) Yes.

(*ii*) (1) Commissioner, Rawalpindi Division (Chairman).

Khan Bahadur Rahim Bakhsh (Retired Director of Land Records, Punjab).

Rai Bahadur Bhai Hotu Singh (Retired Deputy Commissioner).

(2) (*a*) To assess terms of compensation to be paid if lands lying within the boundaries of private canals and now paying *chaharami* are given water from Government canals,

(*b*) To enquire into measures necessary to be taken to prevent water-logging owing to the opening of the Shahpur Branch, and

(*c*) to report on any additional measures that require to be taken to prevent the injury caused by spill on flood water passing the line of the Shahpur Branch.

(3) No date for sending the report was fixed.

(*b*) and (*c*) Considerable progress has been made and it is expected that the report will shortly be ready.

(*d*) and (*e*) Government is not aware of it: but enquiries are being made.

* Pages 37—38 *ante*.

RESOLUTIONS.

RESOLUTION *RE*: ENHANCEMENT OF LAND REVENUE IN THE ATTOCK DISTRICT.

Mr. President: The Council will resume discussion on the resolution* moved yesterday by Lieutenant Sardar Sikandar Hayat Khan.

Lieutenant Sardar Sikandar Hayat Khan [Attock (Muhammadan), Rural]: Sir, I had a talk with the Honourable the Revenue Member and he assured me that the Government would be prepared to fix a maximum of 33⅓ per cent. as they wanted to do in the amendment of the Land Revenue Act and that subject to that he will be prepared to take into consideration the special circumstances of that district and, if possible, to decrease the land revenue in such tracts where it is necessary on that basis. If Government is prepared to give that assurance, I do not think I will waste the time of the Council any more and will not press the resolution.

Mr. President: The resolution moved runs:—

> "This Council recommends to the Government that the proposed enhancement of land revenue in the Attock district should not exceed 20 per cent. of the existing rates in any tract of the four tahsils of the district."

The question is that that resolution be adopted.)

Mr. C. M. King (Financial Commissioner): Sir, we are not making any agreement at all except what is given under the 33⅓ per cent provided for in the Bill which is being brought forward before the Council. The settlement of Attock district will be treated in exactly the same way as any other settlement which comes on in accordance with the Bill and in accordance with the assurance which has been given to the House more than once by Sardar Bahadur Sardar Sundar Singh, Majithia, which will make the Bill applicable to the assessments which have been begun after a certain date. More than that I have no instructions to say.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, the point involved here is not so much as what will be the entire demand made from the Atttock district subject to a maximum of 33⅓ per cent. mentioned in the Bill but two other points of general importance are involved in it, and I will be very glad if the honourable mover of this motion recognises them and in accordance therewith seeks leave of the House to withdraw his resolution. The Legislative Council is hardly the place to discuss individual cases of settlements, whether the demand proposed to be made by the settlement officer is adequate or inadequate. General principles can very well be discussed in this Council and Government is always very anxious and very pleased to hear on general principles authoritative expressions of opinion of the elected representatives of the people themselves. It is of very great help to the Government, but when it comes to discussing whether in any particular tract or circle or tahsil or district so much and no more should be taken, then it is open to doubt whether that discussion is of any great utility either to the Council or to the Government.

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*This Council recommends to the Government that the proposed enhancement of land revenue in the Attock district should not exceed 20 per cent. of the existing rates in any tract of the four tahsils of the district.

Sayad Muhammad Husain : If the settlement officer does not assess them in accordance with the rules laid down in the Bill, what is the remedy for the people, what are the checks which will prevent the settlement officer from assessing in excess of the requirements laid down in the Bill ?

The Honourable Mian Sir Fazl-i-Husain : It is very pertinently asked if the Legislative Council is not the place to discuss whether the settlement officer has acted contrary to the law and the rules. My reply to that is very simple, that in such a case a resolution should be brought forward in this Council saying that the assessment in that particular district is in the judgment of the honourable member who is moving the resolution in violation of the law laid down in the Act. But this is not the nature of the present motion. It goes beyond that. What I was going to say was simply this: that if the honourable member realises that the Council is not the proper place for discussions of this sort, what is left is, firstly, that there is this provision in the Bill that has been introduced by me already where the maximum will be 33⅓ per cent. for the district as a whole and secondly, that it is always open to any person living in Attock and more so in the case of an honourable member representing Attock to make any representation he likes to the Financial Commissioner or the Commissioner, as the case may be, with reference to anything that he feels has not been rightly understood or done by local officers. To my mind it appears that a more reasonable decision is likely to be arrived at to the satisfaction of the Government as well as the member concerned by that representation and that discussion rather than a discussion in the air in the Legislative Council wherein members are not in possession of all the facts and all the details and so can hardly vote on it intelligently. It is hardly helpful either to the member concerned or to the Government. These are the reasons which I think must weigh with the honourable the mover of the motion. In any case he must feel that the 33⅓ per cent. for the district gives him the limit that has been fixed in the Bill and if he wants to gain something more than that, it is open to him to represent his case to the authorities in the ordinary way and I have no doubt the officers of Government will give him their very best consideration and deal with the matter in the light of those representations and arrive at such decisions as they may feel called upon to do. That is the assurance which I am very pleased to give in this Council and if the honourable the mover of the resolution is satisfied with it, there is no reason why he should proceed with the resolution.

Lieutenant Sardar Sikandar Hayat Khan : I beg leave to withdraw the resolution.

The resolution was by leave withdrawn.

RESOLUTION *RE.* MEASURES FOR THE RELIEF OF THE POVERTY-STRICKEN CULTIVATORS IN THE MUZAFFARGARH DISTRICT.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, I beg to move—

> "This Council recommends to the Government to provide five lakhs of rupees in the next year's budget to adopt measures for the relief of the poverty-stricken cultivators of Muzaffargarh district."

[Sayad Muhammad Husain.]

Sir, my resolution aims at the adoption of special measures for a district whose poverty is proverbial. Muzaffargarh is a district situated at the remote corner of the province and the very fact that we are unaware of the acute poverty which is prevailing in that district among the cultivators and that we have been unable to adopt any measures to alleviate their miseries is a very great insult to the people of the whole province and a slur on the administration. Even the Government of India has not been unaware of this acute misery and dire poverty of this district. In a recent conversation which I had with the Honourable Mian Sir Fazl-i-Husain, I was told that even in the circles of the Government of India there was a talk about the misery and poverty which exists in this district of Muzaffargarh. If I am wrong the Honourable Member will correct me. Not only the attention of the Government of India but also the attention of the Punjab Government was drawn very many times by the settlement officers, by Mr. arling in his valuable book: *The Punjab Peasant in prosperity and debt*, by the Registrar of Co-operative Societies, by many other officers and above all by their very poverty and by the great amount of indebtedness that prevails in that district. Notwithstanding the district is poor, the civil litigation that is going on there is abnormally high, but the criminal litigation is very low. All these facts were brought home to the Government of the Punjab and it is very unfortunate for that district and for us that the attention of the Government was not diverted towards those unfortunate people. I am aware, Sir, that the Government is spending lakhs and lakhs of rupees upon beneficent departments annually. Lakhs of rupees are being spent to combat malaria, to the spread of primary education, to increase the facilities of communication everywhere, but no attention has been paid to that unfortunate part of the country where the people are groaning under poverty and misery. I would like with your permission, Sir, to draw the attention of the House to the extreme poverty that exists in that district by reading a few extracts from the assessment report of that noble officer who is the noblest specimen of the Indian Civil Service, I mean Mr. Anderson. In his assessment reports, Mr. Anderson has drawn the attention of the Government over and over again to the fact that the Muzaffargarh district is poverty-stricken, that measures must be adopted for the relief of these poor people, that the assessment that is collected from them has reached the highest level and that there is no chance of taking anything more from them in the form of land revenue. I am grateful to the Government that they reduced the land revenue in one tahsil, namely, Alipur.

This is what Mr. Anderson says in his report on the material condition of the people :—

> "The poor live in dwellings of mud and thatch, which though liable to destruction from fire, are excellently suited to the hot dry climate. In the ordinary house the furniture consists of articles of basket work and earthenware; beds made of wood and rope very carefully woven from date-leaves or bull-rushes, or, more rarely, of camel's hair; a box with lock and key, to contain records and any articles of value, and a small earthenware granary for the grain taken at seed time from the dealer. Foreign cloth is worn only by the most wealthy, and the ordinary peasants . ...

I wish the honourable members to specially note the words—

"... and the ordinary peasants, men and women alike, seldom own more clothes than those on their backs."

Further on at page 9 of the report he says in connection with their food—

"Dates which ripe in July form an important addition to the diet, specially of the poorest classes, who in years of great scarcity, grind the stones down to flour. The root of the lotus and a number of wild berries are eaten in their season. The change in diet from Kharif to Rabi grains is due to economic causes."

This is in regard to their food. Further on Mr. Anderson observes—

"The small owners as a body are and long have been head over ears in debt and though they cultivate their own holdings get no share of the produce except the worst Kharif grains and enough wheat to keep body and soul together: everything else goes to the *Kirar*. The total of unsecured debt which at settlement was Rs. 20,60,000 has increased in proportion with the decline in the purchasing power of money and is now declared by the agriculturists of the tahsil at Rs. 39,00,000."

Further on Mr. Anderson sums up the economic condition of the tahsil in the following words—

"The points to be noticed in this description of the tahsil are :—

(1) There has been no improvement in communications... ."

That is a point, Sir, to be borne in mind.

"(1) There has been no improvement in communications.

(2) There has been no improvement in the material condition of the people since indebtedness, both secured and unsecured, has risen in proportion to the rise in prices.

(3) Decrease in cattle.

(4) An increase in population, without a corresponding increase in the area under food-grains."

In the Assessment Report of the Muzaffargarh tahsil Mr. Anderson observes at page 11 as follows :—

"The ordinary Muzaffargarhi cultivator suffering under a most uncertain water supply, and a load of debt which is largely the result of the uncertainty of his water, is painstaking rather than enterprising, and cannot afford to experiment in new methods. His husbandry is usually good, but varies with his hope of reaping the crop: that for example of chahi-nahri wheat is very exact and laborious, but little care is expended on the less secure Kharif, which on inundation canals is a gamble. There is a considerable body of agriculturists who have not the security needed to obtain the loans with which to carry on a tenancy, and work as hired men for the most part under the Hindus. They are paid in grain with a monthly allowance of Re. 1 or Rs. 2 in cash, and an annual

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outfit of clothes and shoes. The scale of wages is rather higher in this tahsil than in the rest of the district, but cannot, if commuted into money, average more than about Rs. 85 a year."

Now, Sir, this works out, including food and clothing, to about Rs. 7 a month. Can you keep even a horse or a dog on this meagre sum? How then can a family of six or seven souls live on this meagre sum of Rs. 7? The attention of Government was drawn not only by Mr. Anderson but by Mr. Darling through his valuable work. At page 116 of his book "The Punjab Peasant in prosperity and debt" he says "that 90 per cent. of the owners of the Muzaffargarh tahsil are in debt". Further on at page 120 he observes:—

"In the Muzaffargarh tahsil, deducting the area under fodder, he reckons that there are about two persons to the matured acre, the average yield of which is not more than nine maunds of wheat. In Alipur, where about three per cent. of the owners own half the tahsil, there is an average of only two acres each for the remaining 97 per cent., which means that in many cases the area owned is considerably less."

Again at page 234 of his valuable book he estimates the debt of the district at 13 lakhs in 1883 and at 80 lakhs in 1922, that is five times the amount which was 20 years back. I had, Sir, a private discussion with Mr. Calvert. I asked him, what are the possibilities of relieving the misery and poverty of the people of the Muzaffargarh district. He told me that he could not find a remedy. He also told me that the debt, secured and unsecured, in the district of Muzaffargarh was so great that it was absolutely useless to have recourse to any measure unless something of a special character was done. He even went so far that he had an idea of removing all co-operative societies from the district in view of their being of no use at all on account of the incapacity of those societies to cope with their debt problem. Sir, these are not the only things. If the attention of Government has not been diverted to this fact by so high an officer as the Registrar of co-operative societies and the settlement officer, I do not think that I with my little ability will be able to move the Government. But if I am able to do something and make the Government pay their attention to this district all the credit for it must go to Mr. Anderson and Mr. Calvert from whom I received this inspiration. Surely my friend Khan Muhammad Abdullah Khan who comes from that district will throw further light upon the question. I appeal that some special measure ought to be adopted to relieve the misery of the poor people. I think the Honourable the Revenue Member is aware of the prevalence of very serious maladies, more serious than malaria, in this district. Is it not our duty, Sir, to contribute something to a district where people are suffering from disease and to root out the poverty? It is the poverty that is the cause of so many diseases and deaths. It is our duty, Sir, assembled as we are from different parts of the country, to help our brethren who need our help. Government are spending lakhs of rupees on drainage schemes in order to reclaim the towns. The Dek Nallah which has injured the crops and the health of about a dozen or two dozen villages will get from the Government something like 3 or 4 lakhs of rupees within the next year or two. Is it not proper that we should give the people who are living on this side and who

are contributing in the form of land revenue several lakhs of rupees something in the form of help? Will it be difficult to give them the first aid in misery and trouble and remove their indebtedness instead of giving them railway communication? Even nature draws the attention of Government. The last floods took away with it everything, the live standing crops, etc. That, Sir, is in my opinion, a duty which nature performed to wake up the Government of the general public from the slumber. The Government came to their rescue and suspended in many cases the land revenue and in others remitted the land revenue. But, Sir, the damage was so great that more than that was necessary. I hope the Honourable the Revenue Member will remember that he told me that the House ought to have been adjourned on that day and that it was one of our greatest lack of duty that we did not adjourn the House on account of the misery which overtook the district when the Indus came in floods. He is now in charge of the revenue portfolio and so he can translate his sympathy into action. I, therefore, implore him to do something for the relief of the people of this district. I appeal to him in the name of providence, believer as he is in God (laughter), to do something for these poor people so that he may have bliss in the next world. I appeal not only to his sympathies but the sympathies of Mr. King and of everybody in this House, Hindus, Muhammadans and Sikhs who have living faith in God. The care of these poor people has been entrusted by the Almighty to us and it is our first and foremost duty to protect them who are unable to come out and stand on their legs. It is in that faith that I appeal to all those members to come forward and help these pitiable people in their misery. Sir, in helping the poor people of Muzaffargarh district they shall be making a name. They shall be reckoned among all those people who have done good for the poor and the needy. What are my concrete proposals for the amelioration of the distress and poverty of the people of Muzaffargarh district? I want a very humble and modest sum of 5 lakhs to be provided in the next year's budget. What is this sum after all? The Honourable the Revenue Member, while he was the Minister for Education, had by persuasion and special pleading wrung out from the Government much more money than what I am asking him to get for this district. The Honourable the Revenue Member has done several good acts while he was the Minister for Education in the way of opening new hospitals and opening new schools and so on. I now ask him and I appeal to him in the name of all that is sacred, in the name of humanity and above all in the name of God to come to the succour of these unfortunate people. (*A voice: Are you certain that he will listen to your appeal?*) Well, some honourable member asks whether I am certain that my voice will be heard. Well, if it is not heard, it will not be due to any fault in the cause that I plead. It will be due to my utter lack of persuasion. The cause for which I am pleading is a noble one and if it fails to receive that response which it legitimately deserves, then the fault lies with me and with nobody else. I trust that my shortcomings in pleading this noble cause will be covered by the strong appeal that will be made by other honourable members. Now, Sir, to resume, what are my concrete proposals? The Government should set apart in the next year's budget the modest sum of 5 lakhs of rupees. The Government is taking crores or something like that annually in the form of enhanced taxation and I only want that the taxes realised from the people should be equally distributed so as to help the people of the province to remove their distress and improve their material condition. The people of this province are contributing crores of rupees towards the revenues of the province and out of that

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sum, I only want a small sum of 5 lakhs to be set apart. For what purpose? To be laid at the disposal of Mr. Calvert, the Registrar of Co-operative Societies, to be given to him to be spent in any way he thinks, either to give effect to the resolution which has been moved in the Council and which had the full concurrence of the Co-operative department or to be spent in any other way that the Registrar deems fit and feasible. I am not going to tie down the hands of the Registrar of Co-operative Societies by suggesting that the sum should be spent in this way or that way. All that I say is that this modest sum of 5 lakhs should be laid at the disposal of Mr. Calvert, who is a Government official and who can be expected to exercise his discretion in spending this money in the most useful way. This is my appeal and I hope my appeal will not fall on deaf ears. I hope the Government will do something towards the alleviation of the suffering and misery of the people of Muzaffargarh district. The mere fact that there has been a great amount of civil litigation in that district ought to have awakened the Government from their slumber to do their duties, to make proper enquiries and to find out the root causes of the civil litigation. Where the people cannot afford even to eat a full meal, it is impossible to imagine that there should be such a great deal of litigation among them. This throws a horrible reflection on the administration of the country and if proper enquiries are made, all the affairs would come to light and the effect of such enquiry would be very great and a great Government such as the British Government is should not shirk its responsibility. What is the answer that they will give before God. Here is a case of poverty and helplessness and the attention of the Government has been drawn to it over and over again not only by the ordinary elected representatives like myself but by high officials, settlement officers, commissioners and all such high officials and yet the Government did not wish to open their eyes and do something for the amelioration of the distress of these poor people. What answer will they give on the day of judgment?

Qiamat ke din Khuda ke age surkar kiya jawab degi.

Had I not discussed the poverty of this district with several Government officials, they would not be aware of the conditions prevailing there. If the Government is not prepared to do anything to ameliorate their condition, they can as well do away with these people once for all. Why should they be allowed to groan under poverty any longer? Every high official that I met with seemed to be as much convinced as myself that something should be done to ameliorate the condition of the people of Muzaffargarh district. In fact I received my inspiration from them. When so many high Government officials were talking about the poverty of this district, I thought that something was radically wrong and it was through an extraordinary piece of ill-luck that their miseries remained unredressed till now. When my honourable friend Mian Sir Fazl-i-Husain evinced so much sympathy towards the poor people of Muzaffargarh district while he was in the Government of India, how much more should he feel for them now that he is in charge of the revenue portfolio of this province and I earnestly trust that he will use his influence and try to better the condition of these poor people.

Mr. President: The resolution moved is—

"This Council recommends to the Government to provide five lakhs of rupees in the next year's budget to adopt measures for the relief of the poverty-stricken cultivators of Muzaffargarh district."

The question is that that resolution be adopted.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] : Sir, I rise to give my whole-hearted support to the resolution moved by my honourable friend Sayad Muhammad Husain. He has very strongly put forward the case of Muzaffargarh district before the Council; not only has he stated all the facts, but he has also quoted from all the assessment and settlement books to prove the condition of the poverty of the people of Muzaffargarh. Who doubts, but every one knows it, that the people of that district are extremely poor and above all my honourable friend Sayad Muhammad Husain has also appealed to the mercy of the Honourable the Revenue Member and I trust that he will respond to that appeal and accept the resolution.

As regards the condition of the people in that district, they are so poor that their condition cannot be adequately expressed in words. The people of Muzaffargarh were already poor and the recent floods that took place two years ago only aggravated their poverty and made them extremely poor and their resources absolutely crippled. I had been to that district myself during the days of the floods and I have had a talk with all sorts of people, and all sorts of zamindars who own lands there, they all complained with one voice that their cattle had been destroyed and all their crops had been devastated and in fact very serious damages had been done to their house and property. They were living in mere huts and these huts too were washed away by the floods, leaving them destitute and homeless. Of course Government did give them some help, I know, but that help was too insufficient to replace what they had lost. Their proverbial previous poverty, coupled with the recent floods is a very strong reason why the people of Muzaffargarh should be rendered all the help that is possible to improve their condition.

On the top of these things, another point for which I have to plead on their behalf is in connection with insufficient irrigation. I am bringing this point to the notice of my honourable friend Mr. Sangster. I have personally investigated into the matter and found that these inundation canals are doing very little good to the people in that district. Irrigation is done in such an absolutely irregular way that it does no good to the people. No consideration is paid to the time in which water is to be sent to the fields and at what time it should not be sent. They do not get water when it is mostly needed and they get it at a time when it is absolutely useless. There is no doubt that the inundation canals are in nobody's exclusive power and possession, because they supply water only when there is flood in the river. In spite of that, I have found that sufficient care is not taken in the supply and distribution of water to the people of Muzaffargarh district so as to enable them to raise their crops to their benefit. I have in writing, by application and by question, brought this point to the notice of the Superintending Engineer and the Executive Engineer of that place. In spite of my complaint this defect has not been remedied and I have been still receiving complaints on many occasions that the people are not properly supplied with water when they need it. This is another trouble to the people of Muzaffargarh district. Of course there are other districts where inundation canals are working in a similar way, such as the district of Dera Ghazi Khan, but I am at present talking only of Muzaffargarh district where irrigation is not so well done as it ought to be for the benefit of the people of the district. They have two kinds of irrigation, namely the *Chahi* and the *Chahi-Nahri*. I wish they would go in for more wells. But then they have no money to sink wells. If the proposal of my honourable friend Sayad Muhammad

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Husain is accepted, probably the people in that district would get more money to sink more wells. In some places in the district I find very good opening for the tube-wells and if only the Government lends some money to these people, I am sure the people of that district will go in for tube-wells and thus improve the prosperity of the district.

Then another point that I wish to bring to the notice of Government is that those people who have been rendered homeless should be provided with comfortable residential quarters, even though they are huts. Of course I cannot compare them with those that are put up in canal colonies. There the people have got nice houses and all sorts of pukka entrances, but these poor people have not got any money even to build thatched houses. I hope that money will be advanced to them on some co-operative system so that they may build some residences of comfort to live in. In short these are the main causes of trouble to those people living in the Muzaffargarh district which I wish to bring to the notice of my honourable colleagues in this Council. In accepting this resolution, the Honourable Revenue Member does not commit the Government to any heavy expenditure, for it is after all a small sum of 5 lakhs that is asked for in this resolution. The poverty in the district of Muzaffargarh and Dera Ghazi Khan is indeed so much that even if 15 lakhs is asked for, it is not enough to improve the condition of the people there. These are yonder districts of the province and I consider that they deserve every support that the Government can give. With these words, I heartily support the resolution for the acceptance of the House.

Khan Muhammad Abdullah Khan [Muzaffargarh (Muhammadan) Rural] (Urdu): Sir, the honourable member Sayad Muhammad Husain has given a very brief account of the actual state of affairs in the Muzaffargarh district. I am an inhabitant of the district and as such am fully aware of the deplorable plight of the zamindars of the district. First, they have very small holdings. Most of the land consists of *shoor* or *kallar* land and hence it is not very productive. Secondly, there is a great scarcity of water in the district. This is also one of the factors which are responsible for the unproductiveness of the land. Therefore the zamindars of the district have hardly been able to maintain themselves on the produce of their lands. The district officers, including the settlement officers, are of opinion that the land produce of the district is decreasing day by day. The chief product of the district is rice. There has been a considerable decrease in the rice crops as well on account of the scarcity of water. In former days the Muzaffargarh district did receive water by the first of April but now it cannot receive water before June or July. When, Sir, this was the case the people took to the habit of running into debt. Moreover, now when most of the land is rendered *shoor* or *kallar* the tenants have left the district for good.

Notwithstanding the difficulties that are thus existing in the way of the poor cultivators of the district epidemics break out every now and then and they suffer horribly for want of medical relief. Last year the Honourable Minister for Education provided for the establishment of three hospitals in the district, but still there are many places, such as Rangpur, which are situated at a long distance away from these hospitals. Sir, I am referring to the difficulties of the zamindars of my district only

with a view to implore Government help. Let the Government rise to the occasion and devise means to relieve the poverty-stricken cultivators of their misery. The Government has given lands to zamindars of other districts in the new colonies of Montgomery, Mian Channun and Khanewal, but no grants of land have been made to the zamindars of my district. Sir, when this had been the condition of our cultivators they began to incur heavy debts in order to ameliorate their condition. But the money-lender instituted suits and got decrees against the borrower.

The latter, being poor, could not engage pleaders, and the money borrowed was thus spent on litigation. If the money-lender does not seek the help of the court of law he usually asks his borrower to mortgage his land to another zamindar on the condition that the latter would pay the money borrowed to the money-lender. After a certain time the mortgagee has to apply to the District Magistrate for permission to sell both the mortgaged and his own land. Now hundreds of such cases have arisen within a short time. Sir, besides the above-mentioned facts there are some other reasons which account for the poverty of the cultivators of the district. There are no good roads and therefore the cultivators cannot bring their land produce to the towns or at least to the railway stations. Sir, my district is most backward in every respect, in education, wealth, commerce and Government service. There are no canals as well. Of course we heard a few days ago that the Government was going to construct a canal that would pass by Rangpur but perhaps it has given up that idea now. The cultivators of the district have no good houses. They have got *Chappars* to live in. Sir, this is the real state of affairs in the Muzaffargarh district. The people of the district are loyal subjects of the State. They never took part in the political activities of this country. They did not join the non-co-operation movement. I think that if they had non-co-operated with the Government it would have cared for them (laughter). (A few voices : Now non-co-operate with the Government.) With these words I request the Government to accept the resolution.

Sardar Jodh Singh (Sikh, Urban) : Sir, there are no two opinions about the distress prevailing in the Muzaffargarh district and every member of this House will, I think, fully sympathise with the object of the honourable mover's resolution. But I was eagerly waiting to hear some definite proposals. When he came to that stage I was astonished to find that the honourable mover ended with this *Khuda ke waste uu ke liye kuchh kiya jaie.* (For God's sake do something for these people).

Sayad Muhammad Husain : I have made a definite proposal that five lakhs be laid at the disposal of the Registrar of Co-operative Societies.

Sardar Jodh Singh : I am coming to that. There was one definite proposal which reminded me of a pleasant story which is told of Lord Roberts in Kabul. After conquering several territories he asked his Sikh soldiers "what do you want?" They said "*Kharakparshad ek hazar rupe da ho jai*" (get us halwa or sweetmeats for one thousand rupees). The question is, how are these five lakhs to be distributed? Is the money to be distributed at the rate of Rs. 5 per head? Or do you propose to open co-operative banks with these five lakhs as the capital? There must be some definite proposal before us. I have not been to the Muzaffargarh district, but I have read about it in books and I do realise that the district requires some special

[Sardar Jodh Singh.]
measures to improve the economic life of the people. But the problem is, what those measures should be. I have been carefully listening to the speech of my honourable friend who is a member for that district. He said that the land of the district was unfit for cultivation. That amounts to the proposal that district should be abandoned and the people should migrate to the new colonies. If that is the proposal then it could be taken into consideration. Then there was the complaint about the scarcity of water. If the proposal is that new canals should be constructed then that question may be considered. Then there was another question to which Pir Sahib drew attention, namely, litigation among the people. I fail to understand how the gift of five lakhs can cure the habit of litigation among the people. The honourable member for Muzaffargarh (Khan Muhammad Abdullah Khan) referred to the existence of so many children in the families. Does he mean that the Government should devise measures of birth-control? (Laughter). All these points I bring to the notice of the honourable mover simply with this view that he must come with definite proposals, when I, as a member of this House, will be prepared to support them. There is one thing more to which I may refer. Nothing has been said about the laziness of the people there. I have read a lot about them. I belong to a district, Sir, which suffers from many of the causes which our friend said the Muzaffargarh district was suffering from. Average holdings are very small, and even if the Government wishes there cannot be any canal in that district unless the Honourable Minister is prepared to try an experiment in artisian wells. The supply of water cannot be improved. But when I read that book of Mr. Darling, "The Punjab Peasant in prosperity and debt" I found that the average debt per head in my district was the least, because the people of that district took to the army and other occupations. May I know why the people of the Muzaffargarh district stay at home when they do not get enough food by remaining there and why they do not join the army. Why should not they seek other avocations which will earn them their livelihood? This is a matter where the Government cannot help them. This is a matter where the leaders of the people will have to approach the people and tell them that if they cannot get their food at home they must seek it elsewhere. These are some of the means by which they can improve their lot. As I said in the beginning, I sympathise with the resolution and I will be glad to do anything to relieve the distress of the district, but I am sorry no definite proposal has been put forward. If the definite proposal is that these five lakhs should be provided as capital for a central co-operative bank in that district I will heartily support it.

Sayad Muhammad Husain: I have suggested that the five lakhs may be kept at the disposal of the Registrar to be used in such manner as he may deem fit.

Sardar Gurbakhsh Singh [Ambala Division (Sikh), Rural]: Sir, in the course of discussion on this resolution quite a number of points were referred to, such as the poverty of the district, the scarcity of water, the bad condition of the houses and so on and so forth. But there is nothing strange or uncommon in all this. All these points which have been brought out by the honourable members representing that part of the province are not special features of that district alone. Practically every district, leaving aside the central districts of the Punjab suffer from all these diseases, economic as well as physical. I wish to support the resolution from a different point of view, *viz.*, centralization or concentration of energies if it may be so

called. A lot of money is being spent every day for the spread of education, for providing medical relief, for starting a number of veterinary dispensaries, etc., etc., but I believe that we are not getting the full value of the money thus being spent under the present system. The Ministry of Education sends out so many thousands of rupees to every district, and so does the Ministry of Agriculture but no fixed programme is ever chalked out. A part of the country should be earmarked and experiments should be carried on there and the efforts of Government should be centralised on that part in improving it on all sides and thus set an example for the people to emulate. After all, I suppose every sane man will admit that the Government cannot do all that it should do and all the requirements of the people cannot be met with with the limited resources at the disposal of the Government, either Provincial or Imperial. The only way out of the difficulty is to show the way to these people and then leave them to depend upon their commonsense to improve. Certainly if matters are improved and if the example is set, people will not lag behind in their efforts to improve their condition. Other people who are rich will come forward with great interest and they will also try to help and ameliorate the conditions of their fellow brothers. It is from this point of view that I support this resolution. There is a weak spot in this resolution and it is this: what are the special reasons for a discriminating treatment in the case of one district? We cannot distinguish this district from Ambala. Ambala lies at the furthest extreme just like Muzaffargarh and it is just as dry and just as poverty-stricken as Muzaffargarh. After all you have to select a particular district for making a beginning. The resources of the Government are not so great as to cope with the needs and requirements of the whole province and so the whole province cannot be taken into consideration at one and the same time. You must make a beginning with a particular district and because Muzaffargarh seems to be the best to begin with, it will be very profitable to take it for experimental purposes and give help to it in the manner suggested by the honourable mover of the resolution. I, therefore, support the resolution and request the Government to make a start and set apart this small sum of 5 lakhs so that we may try this experiment and if this is successful, further steps could be taken to improve the conditions of the peasantry in the whole of the province We can then proceed with the experiment and expand the system in other districts and in the mean while also enlist the sympathies of the rich people of the province. There are generous people like Sir Ganga Ram who give away thousands of rupees every day in charity and he might very easily give 5 lakhs of rupees to any other needy district. The way must be shown by the Government and rich people would soon follow in its wake.

3 P.M.

I submit, Sir, that my honourable friend Sayad Muhammad Husain has made out a very good case and it is high time that beginning be made in this direction which requires the greatest assistance at the present moment.

Then, Sir, as to the arguments advanced by my friend Sardar Jodh Singh, I do not at all agree with him After all it is not the function of this House, which is a gathering of laymen, to discuss and chalk out any definite proposals as to how we are to proceed, how we can utilise and spend the money that is set apart. These things must be left in the hands of experts. My friend Sayad Muhammad Husain has, I believe, selected the best expert that he could pick upon, namely, the Registrar of Co-operative Societies, who knows the condition of the people and is ever ready to tackle and meet their economic requirements. My honourable friend Sayad Muham-

[Sardar Gurbakhsh Singh.]
mad Husain has made definite proposals to the effect that this sum of 5 lakhs should be handed over to Mr. Calvert to be utilised by him in the way that he deems best according to the exigencies of the situation. That is the best proposal that could be made by a member of this House. Otherwise, if we impose any further conditions, we shall be reducing the whole thing to a confusion and may not be able to arrive at any definite conclusions. With these words I support the resolution.

Mian Abdul Aziz [Lahore City (Muhammadan), Urban] : Sir, we are not in a position to know what the attitude of the Government is with regard to this resolution. If we know their attitude, it will facilitate the discussion on the resolution and it may even tend to shorten the discussion.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : If it is the pleasure of the House that I should speak at this stage, I have no objection to do so. As a matter of fact, I am surprised that an honourable member who had been very eloquent the other day against the Government being allowed to speak twice in a debate is himself anxious that the Government member should speak immediately now. I only wanted to respect his wishes expressed the other day and make only one speech on the resolution and I can only do that if I wait and hear all that other honourable members have to say. It seems to me that my honourable friend Mian Abdul Aziz has now changed his mind and sees the efficacy of the speeches made by Government members and he would like me to speak at this stage and if necessary, at a later stage. I have not the slightest hesitation in complying with the wishes of the House in this matter.

Sir, Muzaffargarh district is undoubtedly one of those unfortunat districts which deserve all the attention that the Government can bestow on it and what is more than that all the attention that the Punjab leaders can bestow on it. I want to emphasise the latter alternative for this reason, that the Government officials for the last fifty years have been engaged in studying the poverty-stricken condition of this district, the ravages which this district is liable to from too much rain and too much water and sometimes from water famine and found that the complaint is chronic and the disease incurable. We know that there is poverty, we know that there is distress, we know that there is disease in the district. We know that these are in part due to the geographical position of this district, to the liability of its being flooded by rivers on both sides, to the uncertainty of its rainfall and to the lack of good and efficient canal system. All these natural defects have, it appears to me, unfortunately told on the character of the people who live there. Not being sure of water supply at any particular time of the year, they have become careless and negligent. Not knowing that the labour they are investing in their land will bear any fruit because there may be no rain and therefore all that have been sown may never develop into good crop, they have also become negligent and lazy and thus they seldom become good agriculturists. All the settlement officers say that the people in Muzaffargarh are indifferent agriculturists. They are not thrifty, they are not careful, they are poverty-stricken, and they are very much indebted but the officers also say that the people in that district are extravagant and that they do things that they cannot afford to do. Sir, while I am on this point may I, with your permission, appeal to the honourable mover of the resolution, for it is he and men like him who command great influence amongst the ignorant people, who can do more good to the people than any Government officer can do. I find it stated, Sir, in one of the

books which the honourable mover has quoted, that one of the curses to which these ignorant people are condemned is that when they are in debt, when they cannot afford to find money in order to till their fields or sow seeds, Pirs fall upon them like locust and take away all they have got or they can borrow. These Pirs prey upon these ignorant people and take away whatever these wretched people have got and thus these poor wretches are left without the wherewithal to cultivate their lands and thus cannot make a good harvest for the succeeding year. I trust that every member of this Council and every influential and leading man in the district will so exert himself as to rid these ignorant people of these Pirs who prey upon them and take away from them as much money as they have. Now, Sir, these people would not be so poverty-stricken or distressed if they had really the requisite character to save when they had a good crop, fight nature and welcome it. What is to be done then? If I place 5 lakhs of rupees at the disposal of Mr. Calvert, it is a well known fact, Sir, that this sum does not represent even a fraction of the debt of that district. Then, what is the good of providing 5 lakhs? Any one who gets a portion of this 5 lakhs may pay off the debt, but will it enable him to do anything more? If he will pay off the debt, will he not incur it again next year? Is it not a fact that people who get into the habit of running into debt, if you pay off their debts they only incur more debts? So it appears to me that there is a great deal of force and point in what another honourable member said, do not let us decide what use is to be made of the money in solving this problem. Let us first diagnose the disease and then determine what is the best way to cure it. Surely 5 lakhs of rupees in the hands of Mr. Calvert cannot remove ignorance. I am sure it cannot be used for tube-wells sinking which is the function of the Public Works Department and of the Agricultural Department and not of the Co-operative Department. Therefore, I think, that the honourable members of this Council have, during the course of the debate, shown a commendable sense of responsibility in not deciding or in not recommending that any particular action be taken with this money or that the providing of this money is the only way of meeting the problem of poverty of Muzaffargarh or of the indebtedness of the people. I have during the last three days given some thought to this problem and I have come to the conclusion that we should fight the Muzaffargarh battle from various sides. First and foremost, we must strengthen our beneficent departments' activities in this district. That can be done in this way. Firstly, to remove ignorance we should strengthen our schools not only our primary schools but also our adult schools not only through the agency of the Education Department but also through the agency of beneficent societies, charitable societies like the Red Cross. We should try to do propaganda work, both economic and public health, through the agency of our vernacular schools in the country as a whole. Try to rouse a sense of responsibility in the people, try to rouse them to a sense of appreciating how badly off they are and how better off they can be, just show them how their produce can bring them more income than it does at present if at the time of the harvest they dispose it off in a better way than they do at present.

These are some of the things which may appear to some members of the Council as nothing particular. But I assure you, Sir, that these are the things that really do more good in the long run than any so-called generous measure which may appeal to the casual thinker. When we have done that we should do something more in the way of public health propoganda and public health relief. I may in this connection tell the House that the Medi-

[Hon. Mian Sir Fazl-i-Husain]

cal Department has already arranged to give three village dispensaries to Muzaffargarh, and not only that, it is proposed to continue to do so till within five years Muzaffargarh comes up to the level which prevails throughout the Punjab, so that no backward area may so far as medical relief is concerned remain behind any other area.

I now come to the economic aspect of the question, and I may inform the House that under His Excellency's orders already the co-operative establishment has been strengthened and if that department through its Registrar approaches the Government with a scheme needing capital for the establishment of co-operative societies there, I have no doubt that the Ministry of Agriculture will give its most sympathetic consideration to such proposal. To my mind this assurance ought to be enough so far as the particular item which the honourable mover of this resolution has in mind is concerned, namely, the giving of five lakhs of rupees to Mr. Calvert. It would be wrong for me to say that what I have suggested would be enough to meet this acute problem. It would not be. What is needed more is that the efforts of the Irrigation Department and the Revenue Department should be so co-ordinated as to tackle the problem of irrigation as well as of taqavi. A larger measure of taqavi may be needed in the Muzaffargarh district. Similarly, improvement in irrigation may be called for. Therefore, Sir, it seems to me what Government can do under the circumstances is to ask an able and sympathetic officer to study the problem, not only as a student but as a doctor to suggest remedies for such defects as he may find to exist in it. One individual cannot do this. I trust the officer whom the Government selects for this purpose with the assistance of the experts in irrigation and in co-operation should be able to put up a scheme which will enable Government to approach the solution of this problem in a business-like manner, not in a spirit of so called generosity because such generosity can do no good to the people, but in a business-like manner. The whole scheme may cost five lakhs or fifty lakhs, in either case the Council should not grudge it. Therefore, Sir, the attitude of the Government is this, that the Settlement Officer of the Muzaffargarh district who, I understand knows the district well and not only knows the district well but is generally believed to be sympathetically inclined towards the people of the district, Mr. J. D. Anderson, now on leave will on return from leave be asked to write in addition to his final settlement report. He will be asked to write a suitable account of the economic requirements of the district and in doing so will consult the representatives of the Irrigation and Co-operative Departments and also non-official opinion. When he submits his report, it will then be for the Government on considering that report to pass such orders as it may deem necessary at the time. This, Sir, is what the Government is prepared to do for the Muzaffargarh district and I trust the honourable members of this Council will realise that this is the only business-like way to solve the problem. (Cheers.)

Mian Abdul Aziz [Lahore City (Muhammadan), Urban] (Urdu): Sir, I quite appreciate the remarks made by the Honourable Member for Revenue and I am glad to know that the Government is also anxious to help the poor cultivators of the Muzaffargarh district. Sir, there is no doubt that the poverty-stricken cultivators of the district deserve special consideration at the hands of the Government. Their sufferings are great. They are badly in need of Government help. Therefore it should not hesitate to render that help. The Honourable Member for Revenue has remarked that it would not

be difficult to spend five or fifty lakhs of rupees on this district, provided that we are aware of the real necessities of the district and the way in which we can better relieve them of their misery. But, Sir, to say this much is not in itself enough to induce the honourable mover of the resolution to withdraw it. This sum of five lakhs of rupees is required to ameliorate the condition of the cultivators of the district and the way in which the sum is to be spent is for the Government to find out for itself. I may admit as it has been said that the cultivators of the district have been extravagant and have thus run through their properties. But this does not mean that they should be doomed for ever. Further, the Honourable Member for Revenue has remarked that the problem of the Muzaffargarh district can only be solved by co-operation of the Revenue and the Irrigation Departments. He is right in holding that view but wherefrom that co-operation is to come. Both these departments belong to Government. They have themselves to move the matter first. The resolution simply asks the Government to provide 5 lakhs of rupees in the next year's budget so that we might be able to adopt measures for the relief of the poverty-stricken cultivators of the district. The mover of the resolution asks the Government to sanction this amount simply because he wants to help the cultivators who are groaning under heavy debts of their own. I am glad to see that the Government has not opposed the resolution. The Honourable Member for Revenue and the Chief Engineer of the Irrigation Department may devise and adopt any suitable measures to cope with the situation existing in the Muzaffargarh district, but what I want to emphasise is this that the required sum should be provided in the next year's budget so that we may be able to do something to meet the exigencies of the district. I admit that the cultivators of the district have been fool enough to waste their properties but even then, as they are the loyal subjects of the State, it is the duty of the Government to render them as much help as is necessary to better their condition. When the Government is already spending lakhs of rupees for the reclamation of criminal tribes and on the enforcement of the Criminal Law I cannot see any reason why the Government should hesitate to accept this reasonable demand. Sir, really the poor plight of the cultivator requires immediate and sympathetic action on the part of the Government. I hope that the Government would agree to this proposal and do something substantial in this connection. We do not wish that the Government while admitting on one side that the needs of the Muzaffargarh district are real and genuine and as such they should not be ignored, should leave the matter hanging fire and the assurance given may be shelved.

The Honourable Mian Sir Fazl-i-Husain : Is it the wish of the honourable mover to press the resolution, or is he prepared under the circumstances to withdraw his resolution ?

Sayad Muhammad Husain (Montgomery (Muhammadan), Rural) : Sir, I am very glad that after all my humble efforts have not gone in vain (Hear, hear). The attention of Government was drawn to the fact that the condition of the Muzaffargarh district was very abnormal, that the poverty was very acute and that something of a formal official enquiry should be held to enquire into the matter and give effect to the recommendations that may be made as a result of the enquiry. This the Government has agreed to do and all the credit for this I do not want to take on myself. The credit for this should be given to Mr. J. D. Anderson and Mr. Calvert, the two great officers from whom I have drawn my inspiration. Mr. Anderson's Assessment Reports and my conversation with Mr. Calvert have influenced me

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to bring this matter to the notice of the Government. I am quite satisfied if these two officers are included in the personnel of the committee to enquire into the question of misery in the Muzaffargarh district. I want, however, to make a few observations. First of all, my humble submission through you is that Government should call upon Mr. Anderson to cancel his leave and to come over to India before his leave expires. If necessary, Government may grant him double the amount of leave that he may be eligible for. My desire is that the work of the committee may be precipitated. I think the good, noble-hearted and sympathetic officer should be recalled from his leave so that he may attend to this beneficient work. I have always been a friend of settlement officers. I have read more than 50 assessment reports and I will tell the House that I have never come across a more noble and sympathetic officer than Mr. Anderson.

Then, Sir, I will say a few words with regard to the remarks made by Sardar Jodh Singh.

The Honourable Mian Sir Fazl-i-Husain : Is the honourable member proceeding with the resolution ? Is he not withdrawing it ?

Sayad Muhammad Husain : I am answering the criticisms levelled against my resolution. My honourable friend Sardar Jodh Singh said if people are idle, what is the help that can be given to such people. Take away these people from the Muzaffargarh and accommodate them in some other colony, say the Nili Bar. Then what will become of the land in the Muzaffargarh district ? They will all become waste. The people who talk like this do not know the local conditions there. The pressure upon the soil is very great in Muzaffargarh district. The holding in Alipur tahsil works out to 2 acres per family. This, I gather, represents the incidence of land per head of population. It is absolutely necessary that when Government is going to give several lakhs of acres of land as peasant grants they should give some lands to the peasants of Muzaffargarh and thus remove the distress of the people. My only suggestion is that Mr. Anderson who is now on leave and who knows all about this district should be recalled from leave—if he wants he may go later on again on leave—and he must be asked to distribute some lands in the Nili Bar to the peasant proprietors of Muzaffargarh. By removing the population from the district of Muzaffargarh—the population has already increased in that district—the Government will only be lessening the pressure of population on the soil. No doubt this is one way of removing the economic poverty of the province. But this is not going to improve their condition permanently. My honourable friend Mian Sir Fazl-i-Husain said that these poor people are being exploited by Pirs. Though I myself belong to the Pir class, I am ashamed to hear this. I have not a single disciple or following in that district and it is really a great shame that Pirs should go and exploit those people who are already much poverty-stricken. If the Government is willing to budget for 5 lakhs of rupees in the next year's budget, then I promise here and now to give Rs. 1,000 for every lakh that Government sets apart. I am willing to hand over a cheque for Rs. 5,000 to the Honourable Member for Revenue if only he can persuade the Government to set apart Rs. 5 lakhs for the poverty-stricken people of Muzaffargarh district.

Mr. President : The honourable member will please say whether he is going to withdraw his resolution or he wishes to press it to the vote of the House.

Sayad Muhammad Husain : Ultimately I wish to withdraw the resolution.

Mr. President : In that case he has no right to speak.

Sayad Muhammad Husain : Then I do not propose to withdraw the resolution. I want to appeal to all rich people in the province to come to the help of the poverty-stricken people in the district of Muzaffargarh. There are so many rich men. My honourable friend Sayad Husain Shah is one of the richest landlords in that district. His forefathers were all very rich people. I hope that men like him, men like Sir Ganga Ram will come forward to their help. If only the Government should set the ball rolling with this modest sum of 5 lakhs, then I am sure other people will come forward to help this poor district. Then as regards the committee mentioned by my honourable friend the Revenue Member, I am quite satisfied with the personnel; they are all men of respectability and I myself wanted only such men to go into the matter. No man will be more glad than myself if I live to see the good work of this committee bearing fruit in good time. Then after the enquiry suggested by this committee, the Government should not hesitate to come forward even with 50 lakhs if need be. The Government ought to make an experiment in this direction and they should first start the experiment in this district of Muzaffargarh. Unless and until you remove the indebtedness of the district, there is no hope of redemption for the poor people there. Mr. Calvert himself has said that this province is very heavily in debt and he also recommended that the co-operative societies in this province should be increased so as to advance money to people on easy terms. The starting of co-operative societies in themselves will not alleviate the misery of this district. You must also take special measures in order to help the poor people in that district. If Government gives its helping hand, I am sure these Pirs who are alleged to be preying upon the poor people in that district will subscribe liberally to remove the distress and poverty of this district. If the Government and the non-officials join hands and if they earnestly set about the business, I am sure the creditors are not so demoralised and degraded as to exact money more than the capacity of the people to pay. What is the use of pressing these men to pay their debt when they cannot even keep their body and soul together. They are so poor that on many days they have to go starving. I therefore plead in the name of the Almighty God that the Government should at once come to the help of these poor people. One day we are all to go before our Creator and answer for all our actions; everybody will be called upon to say something about the help which he has rendered in his life-time to the poorest of the poor living on earth, namely, the people of Muzaffargarh. I, therefore, appeal to Honourable Mian Sir Fazl-i-Husain to precipitate the enquiry. So long as the Honourable Mian Sir Fazl-i-Husain was in the Education Department his hands were strong to get as much money as he liked for the beneficent departments of education and public health and surely in the reserved department, his hands are much stronger now. I, therefore, appeal to him to get from the Government as much money as he wants to take palliative measures for a district like Muzaffargarh which is immersed in debt.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): I understand that the honourable mover of this resolution wants to press this resolution further. I am extremely sorry to see that he has adopted this attitude. He may have reasons which I am not privileged to know. That is his look out. Now, Sir, I will briefly state the reasons why the resolution as

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moved should be rejected. The honourable member wants to force the hands of Government to take a particular line of action in dealing with this problem, but the Government does not believe that that is the right thing to do. His specific proposal is that a sum of 5 lakhs of rupees should be placed at the disposal of the Registrar of Co-operative Societies, for him to spend in any way he likes in the Muzaffargarh district. Now, Sir, the honourable member may know from his experience of five years in the Legislative Council that there is no way in which the Government can vote or give a lump sum of 5 lakhs to the head of a department to spend as he likes. That would surely be Swaraj with a vengeance. We cannot allow the head of a department to spend 5 lakhs of public money in any way he likes. That is the only interpretation that can be put on the resolution. It cannot be done. It would be wrong for me to agree to do it, it would be wrong for the Council to agree to it. I cannot attribute his desire to push the resolution further to anything else except gaining credit for having carried it in the Council. The real object which he had in moving this resolution was according to him only this,—that something should be done to the Muzaffargarh district.—All that was humanly possible for any Government to do was offered to him. He ought to have been satisfied with it. When he said that he was prepared to give Rs. 5,000 for the Muzaffargarh district as charity, had he made this offer to the charitable societies in the province, there are more than half a dozen working in the province in the interests of Muzaffargarh and other backward districts, I would have applauded it. If, however, at the time he made the offer he intended to withdraw his resolution, then I am afraid I am not the man to applaud such an action. Now, Sir, the Red Cross Society, Punjab Branch, had spent last year nearly two thousand rupees in Ambala and Muzaffargarh districts in the matter of relief from relapsing fever. I do not believe any of the leading Punjab men contributed much towards that. I am not saying that by way of complaint because after all it is only gradually that people come to learn of these things and realise their responsibility in the way of helping the poor and the needy. The sooner we learn them the better for us. But to confuse a debate and discuss a serious matter such as how to spend public money in order to get the best possible returns out of it by mentioning names of individual members of this Council or of the public spirited gentlemen outside is a thing which I venture to submit is not in the best interests of this Council or of the province to encourage. It does not add to the dignity of this Council to make appeals of this description. Therefore, Sir, for these three reasons I think the only course that the Government can adopt in the matter of this resolution is what I have already indicated and I would therefore say to the honourable member that it is not right to push the resolution to division. If he however desires to do so, let him do it. I very much regret I cannot do what is asked for in the resolution.

Mr. President: Does the honourable member wish to withdraw his resolution.

Sayad Muhammad Husain: As the Honourable the Revenue Member says that it is not in the interests of the Muzaffargarh district to push this resolution, I do not wish to press it to a division. I beg leave to withdraw the resolution.

Professor Ruchi Ram, Sahni: I want to know, Sir, if a resolution can be withdrawn after a reply has been given.

Mr. President: I think it is open to the mover of a resolution to withdraw his resolution with the leave of the House at any stage before the question is put. His request for leave to withdraw the resolution is before the House.

The resolution was by leave withdrawn.

RESOLUTION RE: ABOLITION OF CATTLE TAX ON SHEEP AND GOATS IN THE KANGRA DISTRICT.

Chaudhri Ram Singh [Kangra (Non-Muhammadan), Rural] (Urdu): Sir, I beg to move my resolution which runs thus—

"This Council recommends to the Governor in Council that the cattle tax levied on sheep and goats in the Kangra district be abolished."

Sir, I may be permitted to remark at the very outset that the cattle tax which exists only in the Kangra district is quite unjust and unreasonable. It was imposed at the time of the settlement operations of 1917-18. It is only this district where this tax is being levied, otherwise there is no other district in the province where sheep and goats are taxed in this way. This statement of mine has been admitted by Government in its reply to one of my Council questions.

Sir, I have had enquired from the Government why this tax is imposed only upon our district and Government has stated in its answer to one of my questions that this tax was levied in order to save the forest growth from sheep and goats which destroy it by excessive grazing and that it leads to a decrease in the number of grazing sheep and goats. My humble submission is that this plea is quite absurd and devoid of foundation. In the time of the old Moghals or in the Sikh age when there were no such taxes forests were in good condition and people were also satisfied. One cannot imagine the state of prosperity during these times when people were free to use these forests as they liked without paying such taxes which are simply improper. In my humble opinion this cattle tax does not do much in saving forests from deterioration. There are two reasons why deterioration creeps upon forests. Firstly, the rainfall is very scanty and land does not receive sufficient quantity of water to nourish the growth. Secondly, the Government has begun selling the produce of forests. These are the two main reasons to which the deterioration of forests can be attributed. It is wrong to say that sheep and goats of zamindars molest these forests.

Now, Sir, there are two kinds of forests in the Kangra district. There are forests in the district whose soil belongs to the zamindars, but Government claims the ownership of the growth somehow or other. Secondly, there are Government forests which are called reserved forests. In reply to my Council question No. 1111,* Government has stated that the forest area in the district of Kangra is 732,688 acres, of which 19,432 acres comprise the reserved forests belonging to Government and the remaining is shamilat, namely, the soil of the forests belonging to zamindars. Sir, if the zamindars of Kangra district graze their sheep and goats in the land which belongs to them is it just and proper for the Government to levy tax for that? I make bold to say that Government is not in any way justified to tax the sheep and

*Vol. VII, pages 610-11.

[Chaudhri Ram Singh.]

goats as it does. I venture to ask the Government members through you, Sir, whether any Government is justified in collecting tax from the zamindars for grazing their sheep and goats in their own lands. This tax is resented very much by the people in the Kangra district and I think it is in the fitness of things that their grievance be redressed by abolishing this tax. Sir, it is a strange thing that one can keep cows and buffaloes and can graze them in forests, but when he keeps sheep and goats they are taxed at the rate of two annas per head. It is inconsistent with equity and justice.

Just now a resolution was put before this Council for the amelioration of the poor inhabitants of the Muzaffargarh district and there was a demand of Rs. 5 lakhs for this purpose. Sir, I do not want any sum for my poor district but I wish to say that zamindars of Kangra should be treated with equity and justice and they might be allowed to graze their sheep and goats in their own lands free of cost. As I have said before, Government thinks that this tax prevents the destruction of the forest growth. But this is not the case. Forests are deteriorated simply because Government sells the produce and the rainfall is poor and scanty.

In the district of Kangra, Sir, there are certain lands which are neither Government reserved forests nor shamilat jungles but are owned exclusively by the zamindars of the district. It was during the settlement operations of 1917-18 that a system of mutation entries was introduced. Zamindars were poor and simple-minded. They did not understand the ins and outs of the system. The result was that they were outwitted. When a certain tract of land was entered in the mutation papers as *Ban Sarkar* it was also noted that there was no *Ban Sarkar* in the village where that tract was situated. Thus the zamindars were left in oblivion as to the actual state of affairs. In reply to another question of mine Government has stated that there are 2,224 *Tikajat* which contain neither reserved forests nor consist of shamilat jungles and all the land belongs to zamindars. Sir, on the one hand it is said that this tax is only levied for protection of forests but on the other hand if zamindars graze their sheep and goats in the above-named *Tikajat* they have to pay the usual tax. I am at a loss to understand why this tax is imposed upon these tracts of land which do not belong to Government.

Sir, the officers who have been to Kangra district on tour or who have had the opportunity of residing there are well aware of the fact that the Kangra district is a hilly tract and its land is very stony and unfit for cultivation and it is impossible to get produce without applying *khad*. In this connection I would like to remark that sheep and goats are one of the necessities of life in the Kangra district. People not only get *khad* from them but also make use of their wool. In Kulu and other cold regions where cotton does not grow zamindars use the wool of the sheep and thus warm themselves. This shows that sheep and goats are indispensable for them. Besides this there are portions of land in this district which do not turn out sufficient produce and one cannot pay even the land revenue. The zamindars generally pay off their land revenue out of the income which they derive from these sheep and goats. Sir, this tax is an obstacle in the path of life in the Kangra district. Let people enjoy free life and be allowed to keep sheep and goats free of this tax.

One more point I wish to put forth before the House and that relates to the system of enumeration of sheep and goats. Generally this enumeration takes place after three years but the zamindars have to pay the tax for full three years no matter whether their sheep or goats are dead or have been sold or used otherwise. Government has also stated in reply to a question of mine that it is on account of births or additions by purchase, etc., in the number of sheep and goats that the tax continues. What I wish to point out is that if one sells his sheep to another person the Government shall continue collecting tax from the seller no matter whether the sheep are with him or not because the enumeration takes place after three years. It is highly unjust and improper.

Sir, in this district there exists another tax which is called *Tirni* Tax. The Government has informed me that the yearly income of *Tirni* Tax is about Rs. 36,642 and that of cattle tax amounts to Rs. 21,442. Sir, it is for this paltry sum of Rs. 21,442 that is realised from the zamindars in the shape of Cattle Tax that they are subjected to this unjust and unreasonable tax.

Sir, in the name of the people of Kangra district whom I have the honour to represent in this Council, I say with all the emphasis at my command that this tax should be abolished without any further delay. The zamindars of my district have always complained about this tax and even to-day I have received a letter from a friend of mine which runs thus :—

> "We have been looking eagerly towards you. Please do something for poor zamindars. The abolition of this tax will do a lot of good. Please do urge upon Government for immediate abolition of this tax."

In the end, Sir, I once more request the honourable members of the House to lend their weighty support to my resolution so that this unjust and improper tax, which does not exist in any other district in the province, be abolished. With these words I commend my resolution to the House for its general acceptance.

Mr. President : The resolution moved is :—

"That this Council recommends to the Governor in Council that the cattle tax levied on sheep and goats in the Kangra district be abolished".

4 P. M.

The question is that that resolution be adopted.

Sardar Gurbakhsh Singh [Ambala Division (Sikh) Rural] : Sir, I do not know very much about the tax in the Kangra district that is levied on sheep and goats but I know of a similar tax being assessed in my part of the district known as the Siwalik range. Sometime back a very strong agitation was raised against that tax. I am not quite positive whether that tax has been abandoned, but I do hear off and on from the Gujars residing in those tracts that they are also put to serious difficulties on account of this tax. Grazing in those forests has been forbidden. If this question of Kangra district is favourably considered by the Government and if similar difficulties also exist in the Siwalik range of the Ambala district then that question may also be considered and decided.

Mr. C. M. King : That is a totally different tax, levied under totally different conditions. That has nothing to do with the tax prevailing in the Kangra district.

Sardar Gurbakhsh Singh : It might be a totally different tax. The tax was levied on sheep and goats of the Gujars residing in those parts of the Siwaliks and that is certainly an allied question. It might be under totally different conditions but yet it is a parallel case. If the tax in the Kangra district is to be taken away as I suppose it must be, then I just draw the attention of the Government to the fact that the question of a similar tax though not an identical tax which is being levied in the Ambala district should also be considered.

(At this stage Lala Mohan Lal got up to speak).

Mr. C. M. King : Sir, if I rise and explain now the whole situation, probably it may shorten the discussion and if my honourable friend Chaudhri Ram Singh is satisfied with my explanation and accepts my suggestion he may probably withdraw his resolution.

Mr. President : The honourable member can speak now.

Mr. C. M. King : I suppose if the honourable member Chaudhri Ram Singh does not accept my suggestions and presses his resolution I shall have another opportunity to reply to this discussion.

Mr. President : I think so.

Mr. C M. King: I am very grateful to my honourable friend Lala Mohan Lal for kindly giving place to me and allowing me to speak. I only wanted to save, if possible, the time of this House and prevent what might subsequently turn out to be a useless discussion. I think I had better first of all deal with the points raised by the last speaker, Sardar Gurbakhsh Singh who spoke of a similar tax in the Ambala district. The tax is not at all similar. The dis-similarity was already pointed out by Chaudhri Ram Singh, the mover of this resolution, when he indicated in the course of his speech that there were two taxes as he called them, two taxes in the Kangra district one of which is known as *Tirni* and the other as cattle tax. They are two totally different things, the one is raised under the Forest Act and the other is raised under the Land Revenue Act. The *Tirni* tax is under the Forest Act and is the tax to which my honourable friend Sardar Gurbakhsh Singh, referred. That tax has nothing to do with the cattle tax and is totally different from the cattle tax. I would ask the House at this stage with reference to my honourable friend Sardar Gurbakhsh Singh's request to note the fact that the honourable mover of the resolution has not suggested that the *Tirni* tax should be abolished even in the Kangra district where I suppose the *Tirni* tax is much more important than it is in the Ambala district. Even in the Kangra district there is no desire on the part of the mover of the resolution that *Tirni* tax should be abolished. I wish that distinction to be brought home to the minds of honourable members because otherwise there is some danger of misapprehension being likely to arise in the minds of honourable members. From the very beginning I wish to make it quite clear that there are two forms of taxation. The one is the *Tirni* tax and the other is what is called the cattle tax. We are now dealing only with what is called the cattle tax and not at all with the *Tirni* tax.

Now, Sir, let us come to the gist of the whole desire on the part of the honourable member Chaudhri Ram Singh. The honourable member has indicated roughly what the position is with regard to Kangra proper, that is to

say, the five tahsils in which this cattle tax is imposed. Practically the whole area of those five tahsils consist of what is called forests. There is a very small area of cultivated land in the midst of a large area of banjar technically called forests. Now, of these forests there is a portion of 19,000 acres, as pointed out by Chaudhri Ram Singh, which are Government forests, Government reserve forests. The rest of the area, something over 7 lakhs of acres, with the exception of a very small area of cultivated land is forest land. That is the position. These forests excluding Government forests are somewhat noteworthy in one respect. The land is all shamilat the property of the people as Chaudhri Ram Singh has pointed out, but the trees, certain of the trees at all events, are the property of the Government. Certain trees which are called royal trees the deodar, the kail, chil and such like are trees which from the time of the old Kangra Rajas whose powers we have inherited have always been the property of the rulers of the country and have come down to be our property. As a matter of fact, however, although the property in these trees vests in the Government, a great majority of them are for the use of the people themselves. The forests have never been exploited as has been suggested by my honourable friend Chaudhri Ram Singh for the benefit of the Government. The land of these shamilat forests, as I may call them are the property of the people and so far as they contain forest trees or undergrowth rising in the whole of them, they are preserved for the benefit of the people and for their benefit alone. They are not intended for Government they are not exploited by Government, the Government does not derive any income from them and it has never derived any income from them. They formerly used to be under the Forest Department, but the Forest Department did not wish to have anything to do with them because they were a very unpaying concern, no money was ever got out of them. They were so much burdened with the zamindars' rights that the Forest Department gladly got rid of them and they were passed on to the management of the Revenue authorities that is to say of the Deputy Commissioner. That then is the position with regard to the forests. We have a very large area of uncultivated land called forest locally and covered for the most part with scrub jungle, low lying jungle with no commercial value or importance but of the very greatest value for the preservation of hillsides and for preventing the denudation of these hillsides and the subsequent conversion of the whole of that part of the Kangra district into an arid waste such as parts of Hoshiarpur have become. Only yesterday we were discussing the case of Hoshiarpur.

Lala Mohan Lal : Will the honourable member kindly refer to some part of the Kangra district which has been devastated by water ? So far as I know no part of the Kangra district has suffered damage by water.

Mr. C. M. King : At the present moment there is no part of the Kangra district which is devastated by water in the same way as the Hoshiarpur district. That is the point of my remarks. The reason why it is not devastated in that way is because the hillside at present is covered with scrub jungle with which we are endeavouring to cover the hillsides of the Siwaliks in the Hoshiarpur district. It is because the Siwaliks in the Hoshiarpur district were completely denuded of this scrub jungle and it was because the water could no longer be held up by vegetation that the Hoshiarpur district was reduced to such a state as led to the passing of the Chos Act. We wish to prevent the Kangra district from being reduced to the same condition as parts of the Hoshiarpur district have become and it was

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for that reason that 11 or 12 years ago, not in 1917-18 as Chaudhri Ram Singh stated, but much earlier than that, namely in 1913 that this problem first attracted the notice of the Government. In 1913 the question was very carefully considered by Mr. Fagan who was then the Commissioner of the Jullundur Division and Sir Alexander Diack and other officers and they all examined the whole question very thoroughly. It was at that time that the forest department handed over the forests to the revenue department and the question had to be considered as to the best way of the preservation of these forests.

Now, I may say that at that time or about that time that Sir Alexander Diack went into the whole question very carefully and he found from the reports received from the local officers that it was impossible to deny the fact that forests were deteriorating and deteriorating very rapidly. Over and over again in the special reports of that time, you will see it said that in a few years' time comparatively these lower hills of the Kangra district will become completely denuded and the result of their being completely denuded will mean that the villages dependent on that will become waste. Having realised what the problem was the next question was to decide how to solve it. After considering many possibilities Government came to the conclusion after seeing the figures that the main cause of this deterioration was a very large and marked increase in the flocks of sheep and goats owned by zamindars. I may say that 15 or 20 years before that time a very careful forest settlement had been made of the whole area in the Kangra district. The Forest Settlement Officer went into the whole question of forest rights and recorded for each forest the number of cattle, sheep and goats that grazed within the forest and it was admitted that up to that number the people were entitled to free grazing in the forests and that no attempt should be made to restrain them. Unfortunately, however, with the growing prosperity of the Punjab and with the fact that the keeping of sheep and goats became a profitable business, about the year 1905 or later there began to be a very serious increase in the number of sheep and goats grazing in these forests. It was because of this very serious increase in the number of sheep and goats that a marked deterioration took place in the forests and the deterioration was so great as to cause serious alarm. Two considerations were put, two possibilities were placed before the Government to deal with this matter. It was obvious that something had to be done to stop deterioration. One idea was to limit the animals kept to the actual number allowed in Mr. Anderson's Forest Settlement. That possibility had to be rejected because it was found that it led to unnecessary interference on the part of the subordinate officials. A man might have 20 sheep one day and later on he might have increased his flock to 25. Then the subordinate official might come down upon him and ask him what he meant by having 5 more. I do not say that that ever took place, but that was what was feared. Because it was feared it was decided that any system which would depend on limiting the number of sheep and goats rigorously to the number permitted by Mr. Anderson's Forest Settlement would be a mistake. There was an alternative suggestion that people should be discouraged from keeping excessive numbers of sheep and goats by having a tax on the number of sheep and goats kept by them. Logically of course this tax should have been applied only to the surplus sheep and goats over and above the numbers permitted in Mr. Anderson's Settlement Report. But it was found impossible to do so. We could not distinguish the number which a man might keep from the actual

number he kept and it was therefore decided to put a tax on the whole number of sheep and goats kept by each person. This so-called cattle tax is a misnomer, because as Chaudhri Ram Singh pointed out, the larger cattle, that is to say, the cows of zamindars and bullocks are allowed to graze quite free. There is no tax on them at all. It is only on buffaloes owned by certain Gujars that a tax of Rs. 2 a head is paid. The reason why this tax was levied on buffaloes is that they damaged the forest growth and it was felt that a good big tax if levied on them would do no harm. I also understand that there is no complaint about that tax. It is levied from persons called sawanadars who have an exclusive right of grazing in certain areas.

Lala Mohan Lal : This is not a tax. The zamindars do not pay tax. They give grazing fees.

Mr. C. M. King : What I am talking about is the cattle tax. The tax on the buffaloes is included in the cattle tax. The tax is Rs. 4-11-0 per hundred sheep and in some cases it is Rs. 6-4-0 per hundred goats. There is also a provision that if it is found that the number of goats is not reduced by the imposition of this tax, the rate of Rs. 6-4-0 per hundred will be enhanced to Rs. 12-8-0 per hundred. This tax is levied not under the Forest Act but under the Land Revenue Act. Here I may point out that it is not such a strange thing as it appears to some people that we are levying a tax of this kind under the Land Revenue Act. I am sure it must be within the knowledge of many members of this House that in the plains it is still a custom of the settlement officers and Government generally in all areas where there is a large amount of *banjar* to levy a small tax on it. It may be a small fee of only an anna or so an acre. I do not see any members of the South West Punjab here at present, but they will bear me out when I say that a tax of this kind is very common. I know we have got it in Muzaffargarh, Bhakkar, Leiah and in other places. Only in these cases the tax is applied at so much per acre of the whole forest area. In the Kangra district it is applied to the animals using the shamilat forest land instead of being imposed on the forest area.

Now, Sir, there is one further point with regard to this tax which is levied under the Land Revenue Act. If the Government treated this as it does other items under the Act, the whole amount of Rs. 24,000 annually should go into the pockets of the Government. But as a matter of fact not one pice goes to the pocket of the Government. Government has instituted this cattle tax entirely for the benefit of the people of the Kangra district, in order to preserve to them their forests in perpetuity ; and to prove that it is not the desire of the Government to earn revenue under this head it has handed over the whole of this sum to the district board. The whole of the collections go to the district board which can devote it to local use.

There is one point on which Chaudhri Ram Singh has made a complaint and that is that the tax is levied even in those areas where there is no forests. It is true it is levied in areas where there is no land regarded as *banjar*. In almost all areas where it is levied if the honourable member looks at the figures supplied to him he will see that there is what is known as *shamilat*. The actual number of *tikkas* in which there are no forests and no *shamilat* is 333, and with respect to these *tikkas* I may say that the reason why it is necessary to impose this cattle tax generally on all animals within the Kangra district is because at some time or other they do actually use these

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forests. They may not have forests in their particular *tikkas*, but these *tikkas* are very small areas and it is very easy to take the animals from one *tikka* to another or from one forest to another. As a matter of fact I think the members will bear me out when I say that it is quite impossible for people to keep herds of sheep and goats unless they have a place for grazing either in *shamilats* of other villages or in the forest area.

This is, Sir, the position with regard to this cattle-tax. The Government is not altogether satisfied with the position. I must admit that the tax is very unpopular and that the people do not like it and the officers of Government have themselves said that it is a somewhat complicated tax and difficult to collect and that very often it is easily evaded. Government has throughout said that if any means can be found to keep down the number of sheep and goats it will welcome that opportunity and reduce or abolish this tax. But so far although the numbers of sheep and goats have been materially reduced from the figures which they attained at the time when the tax was first introduced, there is yet such a large number of these sheep and goats that in the interests of safeguarding these forests it is not possible to abolish the tax. But in a matter like this the Government wants to help the people and for that purpose to discuss the question with them. It is their forests we are preserving and although we preserve them primarily for the people it is eventually for the whole province, because it is difficult to say what the position of this province will be if it is to be deprived of the forests areas in the low lying hills. Therefore I make this suggestion to my honourable friend Chaudhri Ram Singh. Once before I have already made this suggestion and I repeat it again:

A small committee should be appointed very like the Chos Committee of the Hoshiarpur district. My honourable friend Chaudhri Ram Singh himself will be a member of that committee. The Deputy Commissioner would be another member. The Forest Officer would be on it and the Vice-President of the District Board, who is a non-official, would be the fourth member. We do not want too big a committee. If there are any other names that any honourable member would like to add in the interests of Kangra district, I shall be very glad to consider them and report on them to the Honourable the Revenue Member. This small committee of four members will go thoroughly into the whole question of the forest conservancy and this cattle-tax in the Kangra district and it will have full power to make such suggestions as may be necessary in the direction of abolishing the tax or of taking any other steps, always having this point of view before it, namely that the forests are to be preserved for the people. That is what I suggest to my honourable friend Chaudhri Ram Singh and I hope he will be satisfied with this decision and withdraw the resolution.

Chaudhri Ram Singh [Kangra, Non-Muhammadan Rural] (Urdu): Sir, I thank the honourable the Financial Commissioner on behalf of myself and on behalf of the zamindars for the kind words he has said and I am prepared to withdraw my resolution after the assurance he has given but on this condition that he will kindly agree to including the names of Lala Mohan Lal, Chaudhri Raghnath Singh, Zaildar of Indaura and Chaudhri Sital Ram, Zaildar, in the committee proposed by him.

Mr. C. M. King: I have no objection to include the names the honourable member Chaudhri Ram Singh has proposed.

Chaudhri Ram Singh: On the assurance given I beg leave to withdraw my resolution.

The resolution was by leave withdrawn.

RESOLUTION *re*-REVISION OF LAND SETTLEMENT.

Chaudhri Duli Chand [Karnal Non-Muhammadan Rural] (Urdu): Sir, I beg to move that —

"This Council recommends to the Government that in future no revision of land settlement be undertaken or enforced without the previous approval of the Legislative Council.

Sir, as is evident from the resolution moved, it is intended to make it obligatory that in future no settlement operations be undertaken without the previous approval of the Council. I may say, Sir, that this resolution of mine introduces nothing new of its kind. There is permanent settlement in Bengal, a province which does not compare favourably with our province from the point of view of loyalty to the Government and services rendered to it. It is a well-known fact that the Punjab supplied the greatest number of soldiers in the recent Great War, but in spite of that no permanent settlement has been given to it. On the other hand here in this province settlements take place after 30 years and somewhere after 20 years and I am told in the northern districts even after 10 years. The position of the zamindars of this province, therefore, is not secure and they do not know when the land revenue is going to be enhanced next.

Sir, when the Reforms were introduced, we the zamindars hoped that our position would now improve and that we would gain much thereby. We were of opinion that we would at least be allowed some sort of control over taxation imposed upon us. But that was not to be. The Reforms have on the other hand benefitted the urban population which was already in affluent circumstances. For example, if any tax is proposed to be levied on the people in the towns, the previous approval of the council is necessary.....

Mian Abdul Aziz: On a point of order, Sir. The day before yesterday the Land Revenue Bill was introduced in the Council and the subject of the present resolution will have to be discussed when that Bill is taken into consideration. I think that at this stage it is rather premature to discuss this resolution. Would it not be proper that instead of discussing the matter twice over and taking the points twice this resolution should be withdrawn and the matter thoroughly discussed at the time when the Land Revenue Bill comes up for consideration. I, therefore, request you, Sir, to enquire whether the honourable member would accept my suggestion.

Chaudhri Duli Chand: I will withdraw it later on.

Mr. President: I think the honourable member is perfectly within his rights in moving his resolution. The mere fact that the Land Revenue Bill has been introduced in the Council does not prohibit him from moving his resolution. That Bill has not yet been discussed nor passed. Therefore the honourable member may exercise his discretion and withdraw his resolution either at this stage or later.

Chaudhri Duli Chand (continued in Urdu): Thank you, Sir. By moving this resolution I intended only to express some of my views on this matter and after I have done so I will withdraw my resolution.

Mr. President: The honourable member may proceed.

Chaudhri Duli Chand (Urdu) : I was saying, Sir, that the zamindars have gained nothing by the Reforms. Supposing, for example, the Government to-day requires a crore of rupees for some purposes. It cannot realise that amount by imposing taxes on the urban population unless the latter have agreed to it, and supposing further the people in the towns have not agreed, but all the same the Government must have that money. In that case what will the Government do and what does it do generally ? It will then use its executive powers and those powers can be safely used only in regard to land-revenue mutation fees, water rates and such other taxes on the zamindars and the reason for that is that so far as these taxes go, the approval of the Council is not necessary. It is a pity that even in the times of Reformed Councils the taxes on the zamindars can be arbitrarily enhanced. The Honourable Ministers and the Revenue Member also cannot put a check on the enhancements of taxes like abiana although they are all zamindars. Government can increase such taxes at any time it likes. Therefore it is essential that some such Bill be introduced in the Council and passed as may provide that unless the approval of the Council is obtained, no further taxes be imposed. I am glad that the Land Revenue Bill has recently been introduced in the Council and hope that in a short time hence it will become a law. But I take this opportunity to express this hope that when the Bill referred to is referred to the Select Committee it will be thoroughly considered and certain amendments will be made with a view to improve the lot of the zamindars. I have said what I had to say in regard to this matter and after having done so, I withdraw my resolution.

Mr. President : The resolution which the honourable member has moved and which he seeks the leave of the House now to withdraw runs as follows :—

> "This Council recommends to the Government that in future no revision of land settlement be undertaken or enforced without the previous approval of the Legislative Council."

The House having given permission to withdraw the resolution, it was withdrawn.

Rana Firoz-ud-Din Khan : Was the honourable mover of the resolution within his rights in moving a resolution and then withdrawing it in one and the same breath ?

Mr. President : I think the honourable mover was not in order. It would have been better had he not moved the resolution, at all. But it was open to the House to refuse him leave to withdraw and the House has not exercised that right.

Maulvi Mazhar Ali, Azhar : May I point out, Sir, that so far there is no question before the House at all?

Mr. President : Before I put the matter to the House, I read the resolution and said that this was the resolution which the Honourable Member had moved and which he wished to withdraw with the leave of the House.

The following resolution of which notice was given by Sardar Jodh Singh was not moved :—

"This Council recommends to the Government so to amend the rules as would allow those residents of a revenue estate, who pay land revenue, local board cess or income-tax, to elect their lambardars and the lambardars of a zail to elect their zaildar after every five years."

RESOLUTION RE : OPENING OF AN INTERMEDIATE COLLEGE AT GUJAR KHAN.

Subedar Major Farman Ali Khan [Rawalpindi (Muhammadan), Rural] (Urdu): Sir, I rise to move the resolution entered in my name which runs thus :—

"This Council recommends to the Government that an Intermediate College be opened at Gujar Khan in the Rawalpindi District."

Sir, the pitiable plight of the poor population of this district is well depicted by the words of the famous poetess Nur Jahan :—

"Bar mazari ma ghariban ne charagi ne gule

Ne pare parwana sozad ne sade bulbule."

Sir, the chief cause of this is the lack of education in our district. If I think of the reason why this district has so far been neglected by the Government I find that it is perhaps because of the inaccessibility of our villages and the absence of good roads leading thereto. That is only how I can account for the neglect it has had at the hands of the officers. It may also be because the people are not educated ; but there are no schools. Where is then one to educate his children ? Gujar Khan is very centrally situated it is nearer to Chakwal than Jhelum. It is very near Talagang and to a very large area of Chauntra. These people have to pass through Gujar Khan. Take Kohuta : Rawalpindi is farther to it than Gujar Khan. Thus Gujar Khan is very centrally situated in relation to the districts of Jhelum, Rawalpindi and Campbellpore. This is a Railway Station and a small town which fact makes it an ideal place as regards climatic and other facilities for the opening of a college. It would be of great advantage to the health of students to come and receive their education there. It would be very cheap as well. Sir, the British Government is known to be the most civilizing Government. It boasts of spreading education. But the fact that the last 70 years have passed without educating the people of this corner of the province is a dirty blot on its name. It is still worse because of the fact that this district has rendered valuable services to the Government during the recent war. During the war, His Excellency the Governor in his tour made speeches about the education of this ilaqa and it is a matter for pleasure that the Government of India gave its approval to the elementary education being introduced and the opening of schools, teaching up to the VI class. But we regret that this scanty education for six years only has done us more harm than good. After this insufficient education there we lose all our interest in the profession of our forefathers and we do not get even the smattering of learning. Our children learn no doubt how to play cards. There was a zamindar whose son was read up to the VI class. This youngster would not labour on his fields but would play cards. Now his father got tired of him and he pro-

[Subader Major Farman Ali Khan.]

claimed from his house top that he is prepared to exchange his educated son with an uneducated one. Now, Sir what can be more serious than this. With a short course of six years or so our children are like the proverbial dog of the washerman which neither reaches his ghat nor his master's house. I, therefore, submit, Sir, that it is a matter of great reproach for the Government to leave this ilaqa without education. All the members of this council are educated, they want all the people to be educated. They do not want even the remotest corner of the country to remain illiterate. Therefore, Sir, there is no reason why there should not be a college in Gujar Khan. Now, Sir, it may be said that Rawalpindi possesses two colleges Gordon College and the D. A.-V. College. But the whole of the ilaqa is Muslim and these institutions belong to non-muslims. And Muslims not being accustomed to any kind of religious instruction do not like to go to a college teaching the religion of others. No religious instruction is given in the schools as it is against the rules. But inspite of the fact that no muslim goes to these colleges that no muslim who really pays the whole money goes to these colleges these institutions get big aids. Now, Sir, the villagers are very poor and the land is not very rich and productive and the people cannot afford to start their own colleges. Of course if the land had been canal irrigated they would have found it easy to spare money for the education of their children. More than half of the land of Rawalpindi District is mountainous and unculturable. The rest even is not a very good kind of land. No rain water stays in it and even if it rains 20 inches the whole of it flows away to the Jhelum. The productivity of the land is fast decreasing. The ilaqa is very poor. I tried a lot to ask the people to pay Rs. 7 for the military school but I found a blessed few who could pay even this much. Under the circumstances it is very imperative that a college be opened there by the Government. Sardar Jodh Singh belongs to our parts. He is well-educated and if he had been here he would have told you of our needs. But I am sorry to see that he is not in his seat. We people in the army are accustomed to look up to the Government for the fulfilment of all our needs. We are taught to trust in the providence of the Government and obey their orders. We know only to say "alright Sir" I see Dr. Gokul Chand Narang sitting in his place. He is a native of our ilaqa and I hope he will tell you something of our views. I request him to lend me his support. I likewise ask the help of the Government. We served in Afghanistan, in Burma, in Egypt, in China and in many other foreign places but we did not feel the need of education so much. But when we went to Europe it opened our eyes and we felt the real need of education. Now that we cannot get any education, we should see that our children get it. They talk of compulsory education. I say let us have first voluntary education. We do not get even that. I, therefore, request the House to accept my resolution.

Mr. President : The Resolution moved is—

> "This Council recommends to the Government that an Intermediate College be opened at Gujar Khan in the Rawalpindi district."

The question is that that resolution be adopted.

Dr. Gokul Chand, Narang [North-West Towns (Non-Muhammadan) Urban] (Urdu) : Sir, as I find nobody getting up to say anything on the resolution and as my honourable friend Subedar Major Farman Ali Khan has invited me to say something on it, I take this opportunity.

to express my views on the subject, lest it should be understood that I lack in sympathy with the mover or the people of the ilaqa for whose benefit he has moved this resolution. Sir, I have full sympathy with the Major. But I want to make it clear that I am opposed to the sort of education that is sought to be introduced by the motion. The House and the Major would remember that even last time when Professor Ruchi Ram so strongly advocated the spread of education I said that such colleges did us no good. It is of no advantage to us to get a small knowledge of English alone. Then even I advocated that we should have technical and vocational education only, if at all we want to have anything. My honourable friend the mover complains that they suffer without education and learn only how to obey orders. I assure the mover, that they are far better off than the so-called educated people whose condition they envy. The blessings which the uneducated people enjoy are as a rule not known to the educated, and education will make them as bereft of these as we now-a-days are. My friend would not have been six feet high if he had been educated. He would have like myself, if he had been an M.A., been somewhere near five feet six inches or so. His chest would not stretch up to 56 inches or so. It would have been only somewhere near 36. Where he now can easily finish half a goat alone he would have complained of indigestion with a few spoonfulls of *mash-ki-dal*. The blessings which our uneducated countrymen enjoy would have been lost to them. No doubt they have to sweat at the plough and graze flocks of sheep and herds of cattle but this is a very sacred work. Prophets did the same. Moses grazed sheep and Krishna, whom so many Hindus adore, tended cows. The advantages they enjoy in the armies would not have been theirs if they had been educated. These are a few of the disadvantages of the literary education. The tall strong people of Dhani Pothohar will degenerate into effeminate weaklings. I wish that even the present colleges were closed. There should be only one college or so left for those who can afford or have special ability to study there. It is no use having so many of them (Hear, hear and laughter). I do not say all this to oppose the resolution. I only apprise you of the defects and dangers of the present education. Only a few days back Nawab Haider Nawaz Jang was invited to deliver the Convocation address of the Punjab University. He also gave the same advice. He said that we should have an eight or nine years course for one and all and after that there should be vocational and technical education, and the present education in the colleges, what we call literary education, should be left for the selected few who have special taste for it. Others should be trained in Electric, Civil, or Mechanical Engineering or similar other professions. This will lead to a general education of the masses up to a certain standard. They will get enough education to understand general affairs around them and having been trained in some profession they will not have to annoy the Members, Ministers and Officers of the Government and wait for crumbs from their tables. With professional training they will be able to earn their living and will not have to starve. The honourable mover if he has read the list of resolutions would find that I have given notice of two resolutions, one to find out the causes of and suggest remedies for the unemployment among the non-agriculturist classes of the province and the other is to find out the causes and suggest remedies for the unemployment among the educated classes of the province. Now, Sir, if after providing for the education by opening colleges we have to add to our anxieties for providing employment to our children then I advise you not to go in for that sort of education. But if inspite of all this the honourable mover wants to have

[Dr. G. C. Narang].

this sort of education then I lend this resolution my support, though on principle I am opposed to it. If these colleges must exist everywhere and are still to be opened, I would request the Education Minister whoever and whenever he is appointed to consider the claims of Gujar Khan, if a college is to be provided for every district, so that at least the sons of rich zamindars who do not feel the need of tilling their own lands and have leisure enough may be able to read in and profit by them so that when they go to the army they may with this education be able to rise to the ranks of officers, for I believe that officers should also be appointed from the classes which supply the rank and file. I hope however the mover will continue to take the same interest in the young men so that they may not lose their health and become emasculated like their brethren reading in the towns and also that they may not have only to drive quills in the offices. I, therefore, submit that if a college has to be opened and no other place has a prior claim a college may be opened at Gujar Khan.

Chaudhri Nur Din [Lyallpur South (Muhammadan) Rural] (Urdu): Sir, I also claim to have rendered some military services and thus to be connected with the military classes. I, therefore, consider it my duty to support the resolution and to let the House know how far it is necessary that an Intermediate College be opened at Gujar Khan.

5 P.M.

I may say that I have been to this Ilaqa twice or thrice, once in 1912 and once or twice perhaps in 1917-18, during the great war. I can say on the basis of my personal experience that the people of that ilaqa are, almost all of them, uneducated. On the other hand their military services are too well-known to need any comment, and therefore they are the most deserving people to be provided with facilities for acquiring education.

Then Gujar Khan is a most suitable place in that ilaqa for the location of a college, because it is a central place. There is also a mandi there. Another reason in favour of a college being opened at Gujar Khan is that the people of that ilaqa are poor people. There is no canal to irrigate their lands. They depend mostly on rains to cultivate their lands and to grow crops on them, which are, as we all know, never certain. Under the circumstances they cannot afford to send their sons out to receive education in colleges located in far off places. Over and above all this, the policy of the Government is also to help the people of those places which are backward in education and Gujar Khan, as I said before, is one of those places. All these facts combined go to show that it is highly necessary that an Intermediate College be opened in the near future at Gujar Khan.

Sir George Anderson (Director of Public Instruction): Sir, I have listened with very much interest to the earnest speech of my honourable friend, Subedar-Major Farman Ali Khan; and I have also listened with equal interest to the very witty, thoughtful and stimulating speech made by my honourable friend, Dr. Gokul Chand Narang. Indeed, some of the latter's remarks filled me with feelings of great joy because it appeared to me that on many matters on which these benches are in conflict with the benches opposite, Dr. Gokul Chand Narang should take his place on these benches and speak in opposition to his friends sitting on the opposite side of the House. The burden of the speech, and of the resolution which Subedar-Major Farman Ali Khan has moved, is to the effect that this Council recommends to Government that an Intermediate College should be opened

at Gujar Khan in the Rawalpindi district at, I presume, no distant date. There is just one word that I should like to say at the beginning of my remarks. Subedar-Major Farman Ali Khan has given us a very doleful picture of that part of the province. He has told us of the poverty of the people, the difficulty of communications and many obstacles of that kind. There is one matter, however on which he and his friends can be congratulated by this Council and by everybody who is interested in education. So far as I can understand our calculations, Rawalpindi district is the first in the Province in the proportion of its boys at School to the total population and that is surely a matter on which the Rawalpindi district should be warmly congratulated. I also agree with Dr. Narang that not only this Council but also the Government and the Education Department should show every sympathy towards the lot of the people in that part of the world.

I regret, however, that it is not possible to accept this resolution as it stands; and I cannot think that anybody in the council, including the honourable mover of the resolution, could accept it because it would mean that we shall be deciding a question without having the necessary facts and figures before us and without having any of the data which are so necessary to assist us in arriving at a decision. We cannot in a burst of sympathy and in a moment of enthusiasm say that Gujar Khan is more fitted to have a college of this nature than any other place in the whole Province. Therefore, I can only say that the claims of Gujar Khan will be most carefully considered on any future occasion when we try to make up our minds as to where a college of this nature should be constituted. It is not possible at this time and in this place to state that any special preference will be given to this place or to that place that may be mentioned during the course of the discussion.

There are, after all, a few principles which should be borne in mind in coming to important decisions of this nature. There is an urgent necessity as I think Dr. Narang stated in his speech, for a wise distribution of colleges of this nature; and it follows, therefore, that they should not be grouped altogether. As has already been said in the course of this discussion, there are already two colleges at Rawalpindi within 30 miles of Gujar Khan.

Then, there is another consideration which has claimed our attention. In the past, we have selected places for colleges of this type, towns in which there are already Government high school buildings, and in which there are also a number of privately-managed high schools. That being the case, it is a comparatively easy task for Government to abandon its high school and to utilise its building at a small cost as a nucleus for an intermediate college. I regret that in this particular instance there is no Government high school at Gujar Khan; and this makes it rather more difficult for Government to contemplate the constitution of a college in that place.

Then, I must say that I have listened to this debate and to similar debates with some feelings of disappointment. In the early course of discussion this afternoon, my heart was made glad by the promise made by my honourable friend, Sayad Muhammad Husain, that he would give fifty thousand rupees towards the alleviation of the sufferings of the people

[Sir George Anderson.]
in Muzaffargarh district. I am not quite sure whether that Rs. 50,000 was to be given to the Honourable the Finance Member, or the Honourable the Revenue Member or to Mr. Anderson or to Mr. Calvert; but in order that there may be no invidious distinctions, I would suggest that this sum should be given to each of these four officers. However, be that as it may, I understand that there were some indications of private support; and it would please me more if, in discussions of this nature, there were also some indications of private support towards the constitution of a college in this or that place.

I should also like to make a few remarks in regard to what was said by Dr. Gokul Chand. I understand that he would prefer the advancement of vocational training to the institution of colleges. I have very great sympathy with that line of argument. If Dr. Gokul Chand really desires vocational training, then I will suggest that the best way of doing so would be to graft it on to the Vernacular rather than to the Anglo-Vernacular system.

Dr. Gokul Chand Narang: Is it possible for the master to teach these vocational branches without a working knowledge of English?

Sir George Anderson: Of course a knowledge of English would improve their opportunities, but, in my opinion, vocational training is better connected with the system of vernacular schools as the time spent on the learning of English is scarcely commensurate with the benefits. Take, for example, the question of agriculture. The best way to encourage agriculture is to encourage training in agriculture in connection with the vernacular middle schools. It may interest Dr. Gokul Chand and others to know that we have training in agriculture in nearly a hundred such schools in the province; and that we intend to ask the Council for further sums in the next budget so that we can increase the number very considerably.

Let me now return to the question of these intermediate colleges. As far as possible, I agree that vocational and professional training should be attached to colleges, and this we have been trying to do. For example, our colleges at Multan and Lyallpur give such training to the anglo-vernacular teachers. We hope also to attach to the Multan College, and possibly, to other colleges of this type, facilities for clerical training. I have no doubt that Dr. Gokul Chand will be able to make suggestions as to other forms of training which might profitably be attached to these colleges.

I hope that the mover of the resolution will be satisfied with the indication which I have given to him that the claims of Gujar Khan will not be neglected. It is not possible at this stage to offer any preference towards any place in particular such as Gujar Khan or Dera Ghazi Khan which I see is mentioned in an amendment* to this resolution. The claims of the latter place will also be taken into consideration. In the previous debates, other places have also been mentioned, and they also deserve equally the consideration of Government. I trust, therefore, that my friend, the

*That for the original resolution the following be substituted:—

"This Council recommends to the Government that Intermediate Colleges be opened at Gujar Khan in the Rawalpindi district and at Dera Ghazi Khan in the Dera Ghazi Khan district, in the year 1927."

mover of this resolution, will be satisfied with the degree of hope which I have been able to give him; and that is that the claims of Gujar Khan will be considered, though I cannot promise to give it preferential treatment.

Mr. President: Does the honourable member mean to ask for leave to withdraw his resolution?

Subedar-Major Farman Ali Khan (Urdu): I should like to withdraw after making a few remarks.

Mr. President: If the honourable member wants to withdraw he should do so now.

Subedar-Major Farman Ali Khan (Urdu): Sir, if it is so desired I withdraw my resolution after quoting this well known verse:—

"Sapurdam ba to máyá-i-khesh rá

tú dani hisáb-i-kamo-o-besh rá."

that is, I commend my resolution to the good grace of Government. I leave it to them for such action as the Government may deem fit and ask for leave to with draw my resolution.

The resolution was by leave withdrawn.

RESOLUTION RE: ABOLITION OF THE INSTITUTION OF HONORARY MAGISTRATES IN THE PUNJAB.

Captain Dhanraj Bhasin [East and West Central Towns (Non-Muhammadan), Urban]: Sir, I beg to move:

> "This Council recommends to the Government to take necessary steps with a view to stop the institution of honorary magistrates in the Punjab within the period of the next three years."

Sir, the first part of my resolution recommends that the institution of honorary magistrates in the Punjab be stopped and the second provision regarding the period during which this is recommended to be done has been specially put in to avoid dislocation and to arrange for the easy adjustment and distribution of their work to more capable and fit persons by reason of their special legal ability acquired through a systematic study of law. From this you will find, Sir, that the resolution has been put forward with the object of reforming the system gradually and is therefore not revolutionary in character. The institution of honorary magistrates is one of the relics of uncivilised times when nothing was done in a systematic way but was allowed to drift and take shape in a haphazard manner. Every department of Government is being given an unreal look of reform and the limit of reform never goes beyond the limit of safety of the alien bureaucracy. If Government does introduce reform in any form, it is either to serve its own object or simply to gag the public cry. They try to camouflage reform in every department of life and are earnest in making real reform of any kind. Whenever they are forced by public opinion to yield to the introduction of a particular kind of reform, they always provide an outlet or safety valve as it were which will nullify the good effect of reform. The department of Law and Justice has met with the same fate. If on the one side the Government has opened an up-to-date Law College in the Punjab and is annually holding more and more strict competitive examinations for Extra Assistant

[Capt. Dhan Raj Bhasin.]

Commissioners, they appoint as honorary magistrates to do exactly the same duties persons, the majority of whom have no knowledge of the law of the land, many of whom are illiterate and therefore devoid of common-sense which develops only with proper education and training. Is it not really camouflaging the reform? If the Government is honestly anxious to do any kind of reform, they should not put dust in the eyes of the public and get out of it by the backdoor. The department of Law and Justice which comes second only to the medical profession. . . . .

Sardar Randhir Singh: On a point of order, Sir, is the honourable member entitled to read his written speech?

Mr. President: Is the honourable member reading out his speech?

Captain Dhan Raj Bhasin: Am I not entitled to consult my notes as often as I can and deliver the speech?

Mr. President: Yes, the honourable member may proceed.

Captain Dhan Raj Bhasin: I now realise, Sir, that because I was criticising the honorary magistrates, an honorary magistrate had to get up and raise a point of order. That really shows that because the honourable member has felt the pinch of the shoe, he got up to raise a point of order. Well, Sir, I was mentioning, when I was interrupted, that the dpartment of Law and Justice, which comes second only to the medical profession which is designed for the long preservation of the human body, is meant to do justice between man and man which is the birthright of every individual and is therefore a highly sacred profession. To man such a profession with individuals of the type already mentioned is the height of degradation and direct insult to the common sense of people and to the present civilisation. Irregularities in which these exponents of law indulge will be better pointed out by some legal luminary of this Council, but I can very well voice the public feeling in true colours by saying that the public are fed up with the vagaries of honorary magistrates. Where summons for legal investigation is necessary, warrants are issued without the least compunction of conscience. They hold courts at their will and postpone decisions of cases from day to day without any rhyme or reason. The cause of the trouble is that they are unable to understand the point of law advocated before them by vakils and they only take refuge by postponing the dates and eventually decide the matter with the help and consultation of their readers whose ability for the purpose can be well-imagined. When such honorary magistrates who are created by the Government are vested with judicial powers, they misuse them right and left and overawe the public in various ways. The benign Government in its extravagant kindness towards them has not only vested them with judicial powers but also allowed them the privilege of contesting elections as representatives of the people for municipalities, for district boards, for the Punjab Legislative Council and for the Legislative Assembly. At the time of elections false cases are started against some of the persons who have influence with the public and others are threatened by the exercise of magisterial powers which these honorary magistrates possess and when by such means they come out successful, they boast themselves to be the representatives of people and being out and out tools of an alien bureaucracy begin to misrepresent and cut at the very root of civic rights of the people. This is the present condition of honorary magistrates. It staggers

one's imagination to find how Government can boast of doing things in the interests of the public and yet give honorary magistrates the privilege of standing at elections as representatives of the people. The question of loose discipline amongst the honorary magistrates is the most scandalous and a patent fact. They take liberties with their duties and commit irregularities in their work without any fear, as they think that it is their right to do so when they compensate the Government in many unofficial and by underhand means. The Government also for similar reasons does not and cannot enforce discipline.

The Honourable Sir John Maynard: I should like very much that this interesting speech is translated into vernacular after the honourable member finishes his speech. I notice that the Translator is not present here. I wish he is sent for so that he may later on explain to the whole House the kind of remarks which the honourable member is making about honorary magistrates.

Dr. Gokul Chand Narang: Is it intended to frighten the honourable member who is speaking just now?

The Honourable Sir John Maynard: I could not possibly frighten the speaker. All that I want is that the translator be present so that he may translate these interesting remarks later on.

Captain Dhanraj Bhasin: Well, Sir, the inconvenience to which the public is put as the result of this cannot be even cured by searching questions of honourable members of this House as evasive answers are the rule with the present Government specially in cases where any of its own department is concerned.

Then there is the question of economy. Some may urge that the institution is economical. I consider any economy as a foolish economy with a big *F* where it defeats the very object for which it is being effected, and I have amply shown before how the institution of honorary magistrates is against the interest of the people. It cannot, therefore, be considered as an economical scheme because all the money spent by these courts is merely wasted and it is unproductive of any good whatsoever. Then, Sir, it is a well known fact that honorary magistrates are awarded large tracts of land for their official and unofficial services, which fact also proves that the argument of economy cannot hold water and is really a wasteful expense of public funds.

Now, Sir, in conclusion I ask the Government in all humility what is really the reason for persisting in appointing inefficient, untrained and incapable men for judicial purposes when the Law College is working at a high speed and there is no dearth of well-qualified efficient, capable and more honest men. The fact is, Sir, that an alien bureaucracy cannot preserve its existence unless it has boons to confer, titles to distribute, lands to award and institutions like that of honorary magistrates will really shut the mouths of many influential persons and act as bones of contention between peaceful communities dividing them into warring camps. These are the crumbs in the bureaucratic table on which our leaders are asked to live with a view to gag them. These are the loaves and fishes in the power of bureaucracy for which we occasionally lose sight of the ultimate issue and fight amongst ourselves. Through you, Sir, I warn the members of the House not to swallow this

[Capt. Dhan Raj Bhasin.]
most disgraceful insult, even if it is put before them in the form of a sugar coated pill. I warn them to see through the game with their eyes wide open.

With these words, I commend the resolution for the acceptance and hope it will be carried with a large majority in spite of the presence of so many honorary magistrates in this Council.

Mr. President : The resolution moved is—

"This Council recommends to the Government to take necessary steps with a view to stop the institution of honorary magistrates in the Punjab within the period of next three years".

The question is that that resolution be adopted.

Chaudhri Duli Chand [Karnal (Non-Muhammadan) Rural] (Urdu): Sir, I rise to oppose the resolution and I do so because I know that even if it is passed, no effect will be given to it (hear, hear). Long before this a committee was appointed to go into this question. That was a very honourable committee and I understand that it made some very good recommendations and one of those recommendations was that money-lenders should never be appointed honorary magistrates.....

Dr. Gokul Chand, Narang : Were you on that committee? Who were the members of the committee?

Mr. President : Order, order.

Dr. Gokul Chand Narang : I only wanted information.

Chaudhri Duli Chand (continued in Urdu) : I was not on that. But I was told all this in an answer to one of my questions that such a committee was appointed and that it recommended along with other recommendations that no such persons, even if they be zamindars, be appointed honorary magistrates as do any money-lending business, because, in the opinion of that committee, they were very likely to take an undue advantage of their position. But so far no effect has been given to that recommendation and that is why I say that it is useless to pass such a resolution.

It has been said that the present honorary magistrates do not possess the necessary qualifications and therefore the justice they administer is always defective. That is not correct and especially in these days because the old system of single magistrate has been replaced by Benches. Now there are very few single honorary magistrates like our honourable member Rai Bahadur Lala Sewak Ram.....

Dr. Gokul Chand, Narang : He is a Barrister.

Chaudhri Duli Chand (continued in Urdu) : These Benches consist of at least three magistrates and I know they dispense real justice. By real justice I mean the justice that ought to be done in each case and not the justice that is always circumscribed by the definite rules of Law and the evidence on record. The honorary magistrates invariably know the people in their ilaqa personally and therefore they do not find it difficult to sift what is true and what is not and therefore I say that they dispense natural justice.

Then the honourable mover of the resolution suggested that if it was at all necessary the Government could utilise the services of the graduates in Law with advantage and particulary when they were available in so

large a number. That is quite true, but there is one defect in employing them and that is a defect, I may say, which could defeat the very object for which they are to be employed. These so-called educated people know and remember many means by which to take bribery, but the present honorary magistrates, on the other hand, are, without any exception, honest. They dispense natural justice as I said before. Then again it is economical to employ honorary magistrates and a good deal of public money is saved by this institution. The honorary magistrates like Subedar Major Farman Ali Khan are very honest people and I would not object even if such persons are appointed to work singly. In these days the Government generally appoints retired military officers and they are invariably honest and good people. In view of all this I think that the institution of honorary magistrates is quite wholesome and if anything is to be done, it must be done according to the recommendations of the committee referred to.

With these words I oppose the resolution.

Dr. Gokul Chand Narang [North-West Towns (Non-Muhammadan) Urban] (Urdu): Sir, before I rise to support the motion I would like to make it clear that I have a lot of friends in the ranks of honorary magistrates. I do not therefore support the motion because I have any grudge against all or any of them. Moreover, I do not believe that all of them are bad as some of them are really good and it would be profitable to increase the powers of such people, but the trouble is that their number is very small and as it is impossible to improve all of them I choose to oppose their very appointment. This reminds me of one of the English proverbs "no one looks a gift horse in the mouth" or cares to test whether it is docile or unruly. Neither does he care for its breed. Similarly the Government when it gets free and unpaid service, does not care very much for the quality of the work and the servant. It insists on certain high educational qualifications when it appoints paid servants and even when they are appointed, it confers powers on them by degrees. Even these I. C. S. men who possess Oxford and Cambridge degrees are given very limited powers at the beginning and it is only after they have obtained a certain amount of experience that they are given larger powers. On the other hand we find that these honorary magistrates are at once invested with all these powers. Most of them do not even know how to write their names, not to say of possessing any knowledge of the law of the land. Sir, here I have with me Volume VIII, Part A of the Punjab Debates. On page 87 I find a list of as many as 24 names of honorary magistrates who do not even know how to read Urdu. It is further said that it does not mean that they do not know any other language. Perhaps they know *Landas*, Shastri or Gurmukhi. But these languages have not yet been accorded the status of languages by the Punjab overnment. They are therefore of no account. If they are considered alternative languages the objection would go. But as long as they are not treated as languages it is no use pleading that these honorary magistrates know another language. This is a great injustice to justice itself. Generally we find that these magistrates are appointed because of their being the strong supporters and the *Khushamadis* of the Government. This may be a strong word but it is a fact. I know of many young men of good families who no sooner do they attain majority than they begin to hunt for the honorary magistracy. They approach everybody from the Naib-Tahsildar right up to the Financial Commissioner. They give them *Dalis*. They serve them with eggs and meat whenever they go on tours. Thus *Khushamad* is the chief qualification for this job.

Chaudhri Duli Chand : What about the paid magistrates?

Dr. Gokul Chand Narang (continued in Urdu) : They do not give any *Dalis*, nor are they perhaps allowed by the rules. Then, Sir, there is another defect. In many cases it is not even necessary to be men of substance and riches. Many a time even ordinary folks are appointed. This leads to another evil. These people begin to make money out of it.

Again, Sir, I have read many judgments during my professional career given by these honorary magistrates. I find that they are very badly written. Chaudhri Duli Chand calls it real justice. But in fact that is utter injustice. As the judges of the High Court have said, absolute justice can be administered only by God. The only thing left for the human judges is to abide by the facts brought on the file and to give their decisions accordingly. When we depart from the facts recorded, we cannot say with certainty that we are dealing out justice. We may be unconsciously doing a grave injustice while we believe that we were doing justice. Many judgements have been quashed by the judges of the High Court simply on the ground that personal knowledge of facts has been brought into the judgement. Chaudhri Duli Chand mentioned some committee and he praised it very much. Though when I questioned him about the names of its members he betrayed his ignorance. Perhaps he calls it a very good committee only because it was appointed by the Government and only because it reviled the moneylenders (Laughter). So it must be good. Chaudhri Sahib has only one test and that is whether a money lender has been brought to book. But, Sir, it is ignored that a money lender is the man who has money and is in a position to lend. He is, therefore, not likely to be corrupt while on the other hand the man who is a borrower and who spends beyond his income will naturally strive to make both ends meet. He will oppress the people. Again, Sir, these honorary magistrates do injustice for two reasons. First because of their ignorance of the law and secondly to oblige a friend or to create *Rokb* over villagers. It has been said that money lenders use unfair influence. But the fact is that it is these honorary magistrates who make an improper use of their powers. It is generally not so in Lahore or other cities. But in villages they pose as gods on earth. I know in other countries also there are honorary magistrates what they call Justices of Peace but they are always men of high attainments. If such men were to be appointed I am sure Captain Dhan Raj would not move his resolution.

Captain Dhan Raj Bhasin: Certainly, there would have been no need for the resolution then.

Dr. Gokul Chand Narang (continued in Urdu) : We should stop this institution till people of a high standard can be appointed. The fact is that well qualified people do not care to have it. Only those people hanker after it who feel it an honour to be appointed honorary magistrates. I do not want to take any more time. It is now about six o' clock and perhaps the mover of the resolution would like to see how the members vote, particularly those members of this Council who are honorary magistrates. I, therefore, support the resolution with these few remarks.

Mr. President : Is it the wish of the whole House that the discussion of this resolution should be continued ? (Some of the members saying ' no ').

6 P. M.

The Council adjourned *sine die*.

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254 PLC—295—27-1-26 SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 25th February 1926.

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

OATH OF OFFICE.

THE following members were sworn in :—

The Honourable Sardar Jogendra Singh (Sikh Landholders).

Mr. Ram Chandra : Official nominated.

Mr D. Milne : Official, nominated.

QUESTIONS AND ANSWERS.

MUHAMMADAN PERMANENT ASSISTANT SURGEONS.

1392. Chaudhri Afzal Haq : With reference to the answer to question No. 226,* will the Government be pleased to say whether they have since made up the deficiency in the number of Muhammadan permanent assistant surgeons or not?

The Honourable Rai Sahib Chaudhri Chhotu Ram : There have been no recruitments in the permanent cadre since then and of the five Assistant Surgeons recruited to the temporary establishment, four were Muslims.

IMPROVEMENT OF SANITARY CONDITIONS IN THE HOSHIARPUR AND JULLUNDUR DISTRICTS.

1458. Sardar Partap Singh : Will the Government be pleased to lay on the table the answers to my questions Nos. 1142 and 1297 put by me in the 4th and 5th sessions of the second reformed Council ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The answers are laid on the table.

Answer to question No. 1142, (*page* 623, *Vol. VII*).

The Honourable Rai Sahib Chaudhri Chhotu Ram :—

(*a*) *Hoshiarpur District.*—The following are the practical steps taken by the District Board, Hoshiarpur, for improving rural sanitation during the period under reference :—

(1) *Water supply*—

A. Wells repaired at—

Chaksan,	Tahsil Hoshiarpur	— one well.	
Dehmi,	,,	Una	,,
Daulatpura	,,	,,	,,
Badhera	,,	,,	,,

*Vol. VI, page 393.

[Honourable Rai Sahib Chaudhri Chhotu Ram.]

Tanks repaired at—

Pandogha, Tahsil Una — one tank.

B. One kacha tank was dug at Ghewal Beher, Tahsil Una.

C. Removing of silt—

(a) Tank at Nainwan Tahsil Garhshankar.
(b) Tank at Majra " "
(c) Tank at Jarianlan " Una
(d) Tank at Jowar " "
(e) Tank at Bhaddi " "

(2) *Anti-Cholera Measures*—

100 wells were disinfected by the vaccinators and the plague staff of the District Board in 17 villages. The District Board supplied 100 pounds of potassium permanganate to disinfect these wells.

(3) *Anti-Plague Measures*—

The District Board employed a plague gang of 3 coolies for anti-plague measures from October 1923 to September 1924.

(4) *Anti-Smallpox Measures*—

During an epidemic of smallpox in the months of January and February 1924, three vaccinators were added to the existing vaccinating staff at a cost of Rs. 120.

(5) *Anti-Malarial Measures*—

22,500 tablets of quinine sulphate were distributed in the district by the District Board through their members.

Jullundur District.

No special sanitary measures were taken in this District except the routine measures to control and check the spread of epidemic diseases like plague, cholera, smallpox, etc.; 501 wells were disinfected by means of potassium permanganate.

(b) *Hoshiarpur District*—

The District Board, Hoshiarpur, spent the following sums of money to improve rural sanitation :—

Water-supply.

		Rs.	A.	P.
Repair of wells, tank, etc.	...	... 2,400	0	0
Digging of a kacha tank	...	... 96	0	0
Silting operations in tanks	...	... 2,018	0	0
Total		... 4,514	0	0

	Rs.	A.	P.
Anti-Cholera Measures—			
Disinfection of wells	75	0	0
Anti-Plague Measures—			
Employment of plague gang, etc.	1,000	0	0
Anti-Smallpox Measures—			
Pay of Establishment	4,020	0	0
Cost of lymph	900	0	0
Anti-Malarial Measures—			
Distribution of quinine tablets	509	0	0
Grand Total ...	11,018	0	0

Jullundur District.

The total amount of money spent by the District Board, Jullundur during the period under reference in the improvement of rural sanitation was Rs. 279-5-6.

INSPECTION REPORT OF MEMBERS OF JAILS COMMITTEE ON JAILS VISITED BY THEM.

(*Answer to question No.* 1297, *pages* 49-50, *Volume VIII*).

The Honourable Sir John Maynard : The information asked for by the honourable member is too lengthy for insertion in the proceedings. It has been compiled and is available for inspection by him.

COMPLAINTS AGAINST THE PRESIDENT OF BHIWANI MUNICIPAL COMMITTEE.

1757. Lala Bodh Raj : Will the Government please lay on the table the answer to my question No. 1647 asked on the 23rd March last ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The answer to question No. 1647 is laid on the table.

(*Answer to question No.* 1647, *page* 762, *Vol. VIII-A*).

Yes, but no action was taken at the time as the question of sanctioning the prosecution of the President on charges of alleged corruption was then under consideration.

ZAILDAR OF MAUZA RANGPUR, TAHSIL RAJANPUR.

1785. Rai Bahadur Lala Sewak Ram : With reference to the answer to my question No. 1362 asked on the 19th January last, will the Government please say if it has since got the required information ? If so, will it please lay on the table the particulars asked for in the question ?

The Honourable Mian Sir Fazl-i-Husain : —

(*Answer to question No. 1362, page 118, Volume VIII-A*).

(*a*) Yes.

(*b*) Yes.

(*c*) A number of persons gave evidence against the Zaildar, but little of it could be relied upon.

(*d*) In the circumstances Government does not propose to take any action in the matter.

Rai Bahadur Lala Sewak Ram: Knowing as I do the circumstances, will Government be pleased to institute further enquiry into the matter?

The Honourable Mian Sir Fazl-i-Husain: It is not necessary.

GRAZING TAX IN CERTAIN PARTS OF THE KANGRA DISTRICT.

1815. Chaudhri Ram Singh: With reference to the answer to question No. 1254* asked on the 17th January last, will Government be pleased to consider the advisability of the abolition of the grazing tax levied on sheep and goats in the *ilaqas* of Bachwahi and Satlas Giran of tahsil Nurpur and *ilaqa* Haldoon of tahsil Dera and such other *Mauzas* of the other tahsils in the Kangra District where there are no Government or *shamilat* forests? If not, why not?

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

STREETS IN GUJRAT CITY.

1943. Lala Bodh Raj: With reference to the reply to question No. 1760,† asked on the 4th May 1925, will the Government please lay on the table the further report referred to if it has since been received?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The honourable member's attention is invited to the reply given to his question No. 2093 ‡.

APPROPRIATION BY GOVERNMENT OF CERTAIN AREA IN VILLAGE WALI MUHAMMADPUR.

1987. Rana Firoz-ud-Din Khan: Is it a fact that an area in village Wali Mohammadpur in Gurgaon District was appropriated by Government without the consent of all the proprietors of the village in order to settle the population of another village Fotusnagar which was washed away by floods? If so, under what authority did the Government so appropriate the area?

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

QUALIFICATION OF PUNCHES UNDER THE VILLAGE PANCHAYAT ACT.

2024. Chaudhri Sahib Dad Khan: (*a*) Is it a fact that in the village of Balyali, Hansi Tahsil, there are educated people and people holding ranks such as Honorary Lieutenant, Risaldar and Subedar-Major who cannot serve in the Panchayats because they do not possess the requisite qualification, namely, the payment of a land revenue of Rs. 15 or more prescribed for punches under the Village Panchayat Act?

(*b*) If so, does the Government propose to revise the rules relating to the qualifications of members of Panchayats so as to admit of people referred to in (*a*) above being eligible to serve in Panchayats?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (*a*) Yes.

(*b*) The question of revising the rules is already under consideration.

* Vol. VIII-A, page 34.

† Vol. VIII-A, page 923.

‡ Vol. VIII-B, page 1344.

PUNITIVE POLICE IN LAHORE DISTRICT.

2050. Sardar Dhira Singh: Will the Government be pleased to lay on the table a statement showing—

(a) the number of punitive police posts quartered in the various villages in the Lahore district in 1922;

(b) how many crimes were committed in the villages of Ghawind, Thana Barki and Makhi Khurd, Makhi Kalan in Valtoha police jurisdiction prior to the posting of the police, *i.e.*, during the years 1919, 1920 and 1921;

(c) the number of crimes committed by the villagers of the above-named villages during the years 1922 to 1925;

(d) in how many villages of the Lahore district punitive police posts have been quartered during the years 1924 and 1925, respectively; and

(e) the total amount of punitive police tax imposed on the various villages of the Lahore district in the years 1922, 1923 and 1924?

The Honourable Sir John Maynard: The statement asked for is laid on the table:—

(a) 15.

(b) and (c).

—	1919.	1920.	1921.	1922.	1923.	1924.	1925 up to 1st July 1925.
Ghawind	4	9	15	7	15	10	4
Makhi Khurd	7	7	10	4	18	13	3
Makhi Kalan	6	4	3	2	8	3	5

Figures include offences committed in each village, but not offences committed elsewhere but traced to the village.

(d) 28 villages in 1924 and 24 in 1925.

(e) Rs. 4,22,008.

COMMUNAL REPRESENTATION IN MUNICIPAL COMMITTEES AND NOTIFIED AREAS.

2056. Lala Mohan Lal: Will the Government please lay on the table a statement showing—

(i) the total number of municipal committees and notified areas in the province where communal representation has been introduced giving also—

(a) the total population of each of the municipality and notified area with the number of Hindus, Muhammadans, Sikhs and Christians among them;

(b) the total strength of each of the committees;

[Lala Mohan Lal.]

(c) the number of members elected for each of the committees with the number of Hindus, Muhammadans, Sikhs and Christians among them;

(d) the number of members nominated for each of the committees with the number of Hindus, Muhammadans, Sikhs and Christians among them;

(e) the total voting strength of each of the above-mentioned communities in each of the committees; and

(ii) the names of municipal committees and notified areas in the province where communal representation has not been introduced with the particulars asked for in parts (a) to (e) above?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The required information* is laid on the table.

GRAZING OF CATTLE IN THE JUNGLE CALLED "CHAK BAN DHAR."

2080. Chaudhri Ram Singh: (i) Will the Government be pleased to state if it is a fact that the zamindars of Mauza Boh, Taluqa Rabo, Tahsil and District Kangra, have been paying Rs. 30 as *bach*, and that in lieu of that they have been granted the right of grazing their cattle in the jungle called "Chak Ban Dhar"? If so, will the Government be pleased to state whether an entry to the same effect is made in the revenue papers at the time of each settlement?

(ii) Will the Government be pleased to state if it is a fact—

(a) that in the year 1921 the above-mentioned jungle caught fire or was set fire to by some unknown person;

(b) that the scene of fire was at a distance of four miles from Mauza Boh so that the zamindars came to know of the fire a little too late and even then they helped the authorities in putting down the fire;

(c) that the Forest Department made a report to the effect that the inhabitants of Mauza Boh did not help the forest authorities in putting down the fire;

(d) that in the year 1920-21 the Government confiscated the *chaharam* of the zamindars amounting to about Rs. 6,500;

(e) that the *chaharam* for the year 1922 amounting to Rs. 1,600 has been paid to the zamindars;

(iii) If the answers to the above are in the affirmative, will the Government be pleased to state whether they propose to refund the *chaharam* confiscated in 1920-21?

The Honourable Mian Sir Fazl-i-Husain: (i) The zamindars have got recorded rights of grazing their cattle in Chak Ban Dhar, and an entry regarding these rights exists in the Settlement records of 1868, 1891-92 and 1917-18. No fee is levied for such grazing rights. The zamindars, however, recover annas 8 per buffalo from Pan Gujars from Chamba permitted to graze in Tika Chak Ban. In the Settlement of 1891-92 an assessment was imposed on this income, and this assessment has been repeated in the last Settlement.

(ii) (a) Yes.

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*Appendix IX

(*b*) No. The fire started within half a mile of the village. The zamindars made no serious attempts to put it out, with the result that it went on for several days and burnt an area of 1,860 acres.

(*c*) Yes.

(*d*) Yes. But the amount forfeited was about Rs. 1,500 and not Rs. 6,000 as stated.

(*e*) Yes. The actual amount was Rs. 1,761.

(*iii*) No.

PROMOTION OF SUB-ASSISTANT SURGEONS AS ASSISTANT SURGEONS.

2090. Lala Bodh Raj : (*a*) Is it a fact that the Government of India in their letter No. 10-6, dated the 23rd October 1914, empowered the Local Governments to promote deserving sub-assistant surgeons to the rank of assistant surgeons with all the benefits of pay and prospects ? If so, have the Punjab Government ever made use of this power ; if so, how many sub-assistant surgeons have been promoted to the rank of assistant surgeon ?

(*b*) Is it a fact that the Government imposed upon the sub-assistant surgeons in this province the condition that they should undergo a course of training for one year in the Medical College, Lahore, before they could be promoted to the rank of assistant surgeon ? If so, will the Government please state how many sub-assistant surgeons have undergone such training and how many of the sub-assistant surgeons so qualified have been promoted to the rank of assistant surgeon ? If no sub-assistant surgeon has been so promoted, will the Government please state the reason ?

(*c*) Is the Government aware that the Government of India in their letter No. 976 of 23rd September 1915 in reply to the Bombay Government's letter has nullified every condition whatsoever of training as a qualification for promotion and has emphasised meritorious service and skill in operation for 20 years as the essential condition for such promotion ? If so, has the Government of this province considered the desirability of exempting the sub-assistant surgeons of merit and skill in operation from the prescribed course of training referred to in part (*b*) ?

(*d*) Is it a fact that six posts in the cadre of assistant surgeons have been reserved by the Government for promotion from the rank of sub-assistant surgeons since October 1922 ? If so, how many of these posts have been given to sub-assistant surgeons ? If the reply to the latter part be in the negative, will the Government please state the reasons ?

The Honourable Rai Sahib Chaudhri Chhotu Ram :

(*a*) Yes, and two sub-assistant surgeons have been promoted.

(*b*) Yes : four sub-assistant surgeons have now qualified and their cases will be considered as vacancies occur.

(*c*) Yes, but Government are not prepared to exempt sub-assistant surgeons from the necessity of qualifying for promotion by undergoing post-graduate training.

(*d*) Government have agreed to reserve for sub-assistant surgeons not more than 6 places in the cadre of assistant surgeons. Two of these places have already been filled.

NUMBER OF PRISONERS IN THE CENTRAL AND THE DISTRICT JAILS, MULTAN.

2112. Lala Bodh Raj : Will the Government please state—

(*i*) the number of prisoners confined in the Central Jail and the District Jail, Multan, on 1st June 1925 ;

(*ii*) the number of prisoners that were admitted during the month of June 1925 ;

(*iii*) the number of prisoners that were discharged during the same month ;

(*iv*) the number of prisoners that had lost in weight after their admission into the jails and the number among them that were discharged ; and

(*v*) the number of prisoners that had gained in weight after their admission and the number among them that were discharged and how long before their discharge those prisoners had begun to gain in weight ?

The Honourable Sir John Maynard :

Multan Central Jail.

(*i*) 2,467.

(*ii*) 253, including those received by transfer.

(*iii*) 295, including 45 transferred to other jails.

(*iv*) 14, none of whom was discharged.

(*v*) 239 and 11, respectively.

Multan District Jail.

(*i*) 1,471.

(*ii*) 195.

(*iii*) 199.

(*iv*) 12, none of whom was discharged.

(*v*) 52 and 7, respectively.

The reply to the latter portion of (*v*) is not available.

CHALLANING OF LALA JAIKISHEN DAS, KIRPA RAM AND OTHERS BY THE POLICE OF MULTAN.

2113. Lala Bodh Raj : (*a*) Is it a fact that in the month of July 1925, the police challaned Lala Jai Kishen Das, *ex*-Municipal Commissioner and present Manager, Peoples Bank of Northern India, Limited, Multan, and a few others under sections 295, 436 and 451 of the Indian Penal Code ?

(*b*) Is it a fact that one Kirpa Ram, accused, who was the headman of Zaraf Daira was lying sick when he was taken into custody by the police ?

(*c*) Is it a fact that Kirpa Ram died in police custody and that an inquest was held by the City Magistrate ?

(*d*) Is it a fact that the medical officers who examined the body of the deceased stated that the death of Kirpa Ram had been precipitated by the police taking him into custody ?

(*e*) Will the Government please lay on the table the copy of the report of the Magistrate who held the inquest and of the statements made by the Civil Surgeon and the Sub-Assistant Surgeon before the said Magistrate ?

(*f*) Will the Government be pleased to state what action has been taken against the police officers concerned for precipitating the death of Kirpa Ram ?

(*g*) Is it a fact that the case was withdrawn against all the accused on 7th August 1925 ?

(*h*) Is it fact that the same case was previously investigated by the police in the month of March 1925 and was found to be false ?

(*i*) Is it a fact that the Magistrate had dismissed the complaint on 16th April 1925 on the report of the police referred to in (*h*) ? If so, will the Government please lay the finding of the Magistrate on the table ?

(*j*) Is it a fact that the Police Sub-Inspector who challaned the case in July 1925 after it had been once dismissed in April 1925 belongs to Multan ?

The Honourable Sir John Maynard :

(*a*) Yes.

(*b*) Yes.

(*c*) Kirpa Ram died of heart failure in the presence of the Additional District Magistrate and in the company of his relatives while a bail bond was being prepared. An inquest was held by the City Magistrate.

(*d*) Answered in (*c*).

(*e*) Copies of the report and statements are laid on the table.

(*f*) No action was considered necessary, as the Police officers acted in good faith.

(*g*) To avoid communal trouble the case was withdrawn by permission of the District Magistrate.

(*h*) Yes, but the Superintendent of Police afterwards found that the result of the first investigation was incorrect and instituted a fresh complaint.

(*i*) Yes, a copy of the Magistrate's finding is laid on the table.

(*j*) Yes, but he has since been transferred.

Translation of statement of Major M. L. Puri, I.M.S., Civil Surgeon, Multan, on solemn affirmation.

I examined the body of Kirpa Ram, deceased, on 9th July 1925, at 9 A.M. The *post-mortem* result is as shown in Exh. P./A., that is, a carbon copy of the one in my handwriting, and is correct. The accused Kirpa Ram, deceased, was much emaciated. The death was due to pleurisy with effusion and chronic nephritis. The right pleuræ showed old and recent pleurisy with effusion about 12 oz. The kidneys showed advanced state of inflammation. On account of both these his heart had become very flabby. He ought to have been resting on bed, but as he was taken about and on account of going hither and thither his heart failed and death occurred. His condition showed that he must have been ill for a long time. The deceased was such that he could not have lived very long. If he had been properly treated and kept lying down, he may have lived few more months. Getting on the tonga and getting down from the tonga and walking and jolting in the tonga made his condition dangerous. Lungs showed tendency to emphysema and asthma.

[Honourable Sir John Maynard.]

Translation of the statement of Lala Ram Lal, Sub-Assistant Surgeon, Multan, on solemn affirmation :—

I examined Kirpa Ram, deceased, on 8th July 1925 on production of a *ruqqa* by Amir Zaman, Head Constable, of *Sardar Thana*. It was 7-30 P. M. At the time when I received the *ruqqa*, I left the hospital for *Sardar Thana*. Kirpa Ram was sitting on a charpoy under a tree outside the *Thana*. I examined him. At that time his heart was failing. I informed Amir Zaman and Zawar Hussain, Head Constables, who were at that time standing beside me that Kirpa Ram's condition was getting worse. I told them that I was writing a prescription for him and to give him the medicine and take him to hospital at once, because his condition showed that he had only one or two hours more to live. I gave them a prescription. I returned and instructed the compounder to wait for the prescription but nobody came for the medicine. Both these Head Constables did say that water had been sent for for the accused, and they would give him the water and take him to the Magistrate on a tonga for release on bail. I told them that medicine must be administered to him and also that he may be admitted into the hospital. Afterwards I went away.

Copy of an inquest report made by R. S. Lala Girdhari Lal, City Magistrate, Multan, on 14th July 1925 in the case of Kirpa Ram, deceased.

As far as I have taken the statements of the witnesses produced before me the following facts have come to my notice

Kirpa Ram was suspected accused in a case under section 295/451 and 436, I. P. C., on the 5th July 1925. Khan Ahmad Yar Khan, Sub-Inspector, Police, of Sadar Thana, being informed that the accused was unable to walk went to Kirpa Ram's house and took his statement there. In the presence of Sub-Inspector Police, Kirpa Ram had an asthma attack and he had to wait till he had some relief. He found Kirpa Ram weak though the Sub-Inspector says that he walked before him and went to his house when he was free. On the 7th July 1925 the Sub-Inspector issued an order of arrest of Kirpa Ram and handed over to Karim Bakhsh, Constable, for compliance. The Constable went to Kirpa Ram's well where the deceased Kirpa Ram was found. The Constable asked the deceased to accompany him to Thana, and the Constable also told the deceased that on account of his sickness he will not be handcuffed. On it the deceased said that he is ready to accompany, but, being unable to walk tonga should be brought. So the Constable brought a tonga and deceased on tonga was taken over to Thana at 4 P.M. When the deceased and Constable reached Thana, Khan Ahmad Yar Khan, Sub-Inspector, was there. He found that the deceased Kirpa Ram was again being attacked by asthma. Dr. Ram Lal, Sub-Assistant Surgeon, Police Lines, was sent for, and the memo. written by Amir Zaman, Head Constable, shows that the deceased was unable to walk on account of attack : his (Kirpa Ram's) condition was going from bad to worse. (See Exh. P. B.).

The Sub-Inspector did not wait for the doctor and went to the Court Inspector with the remand *parcha*. When Dr. Ram Lal came there were Amir Zaman Khan and Zawar Hussain, Head Constables. The Sub-Assistant Surgeon says that he told the Head Constables that the deceased's heart is failing, and he must be sent at once to civil dispensary. A prescription was written and handed over to the Head Constable for sending for the medicine. The medicine was not given to the

deceased. (Amir Zaman, Head Constable, does not say that Dr. Ram Lal told him that the heart of the deceased was failing and medicine be given at once and the deceased be sent to civil hospital. I do not think necessary to investigate this matter). The Sub-Inspector Khan Ahmad Yar Khan did not come to Thana and sent the *parcha* remand to Zawar Hussain, Head Constable, with the message that he should at once go to Additional District Magistrate. The Court Inspector and the Sub-Inspector both made a request in their reports that the deceased be sent to judicial lock-up where he can be admitted to hospital. The Head Constable, Zawar Hussain, took deceased to Additional District Magistrate's bungalow, but finding the Additional District Magistrate not at his residence went to Public Works Department bungalow, where the Additional District Magistrate was sitting. The Additional District Magistrate asked the deceased be produced there at 7-25 P. M. When the deceased was in tonga, the Additional District Magistrate ordered that deceased be released on bail of Rs. 1,000, and there was none to write a formal bail so the Head Constable may write a bail on police form. The bail form was not still filled up when the companion of Kirpa Ram, deceased, informed Additional District Magistrate that Kirpa Ram was dead. The Additional District Magistrate showed to the Health Officer, who after examination, said that Kirpa Ram was dead. The Additional District Magistrate ordered that the *post-mortem* be done by the Civil Surgeon and police should complete necessary enquiry. The Sub-Inspector reached the place of death of Kirpa Ram afterwards but no form 25·59 A was prepared, nor he informed the nearest Magistrate. On 9th July 1925 I was ordered to make the inquest by District Magistrate and I ordered that statement 25·59 A be prepared. It is incomplete one on the file.

The *post-mortem* and the statement of the Civil Surgeon show that the death of Kirpa Ram was due to heart failure due to pleurisy with effusion and chronic nephritis. There were 12 ounces of water in his right lung and both kidneys degenerated. The deceased had such disease that it was impossible for him to live long but that it was probable that he would have lived a few months more if he would have been given absolute rest and put under proper treatment. As the deceased had to exert in riding and alighting tonga and he had to bear all the jerks and joltings of tongas, these have been cause of his sudden death and his heart has failed.

The above facts clearly show that deceased died while in police custody and was not released on bail. The bail was not still even completely written. The deceased died suddenly on account of his heart failure due to the exertions and old disease. But there is no doubt that this all would have not brought a bad name to police and death would not have occurred in Police custody if the Police officials (Khan Ahmad Yar Khan and Amir Zaman and Zawar Hussain, Head Constables) would have acted cautiously and wisely. At the first instance when the Sub-Inspector Khan Ahmad Yar Khan had himself seen the deceased on 5th July 1925 and he was well aware that the deceased was suffering for a long time from a bad sickness of asthma and the deceased generally gets such bad attacks he would have before issuing order of arrest brought these facts to the notice of the Superintendent of Police or Kirpa Ram would not have been arrested at all and the Court would have been asked to summon the deceased. If he had arrested such a man suffering with such a disease he should have taken necessary precautions according to the condition of deceased. But on the contrary he found that the condition of the deceased was going from bad to worse

[Honourable Sir John Maynard.]

he knowingly evaded and made himself absent and left the deceased in charge of irresponsible Head Constables. Though the Sub-Inspector and Head Constables tried to show the deceased to Dr. Ram Lal but no medicine was given nor his advice followed. Their neglect and folly have created an agitation amongst his relatives which now makes a common talk of the people in papers of death of a Lambardar in Police custody. A little caution and careful working would not have brought such a result.

Copy of an order, dated the 16th April 1925, passed by Bawa Nanak Singh, M.A., Additional District Magistrate, Multan, on a complaint Sadiq Husain *versus* Punnun, etc., under section 436/295, Indian Penal Code.

The police report shows that there is no mosque at the place and that the complaint is absolutely false. The investigation was made by a Muhammadan police official and is supported by Muhammadan headman. Dismissed.

PRISONERS IN THE CENTRAL JAIL, MULTAN.

2115. Lala Bodh Raj: (*a*) Will the Government please state the number of prisoners—

(*i*) who were of the age of between 16 and 12;

(*ii*) who were of the age of 12 or under;

who were confined in the Central Jail, Multan, on 1st January 1925 and on 30th June 1925?

(*b*) How many of the prisoners referred to in (*a*) were Akalis?

The Honourable Sir John Maynard:

(*a*) (*i*) On 1-1-1925 ... 3 prisoners (including 2 Akalis).
On 30-6-1925 ... 47 prisoners (all Akalis).
(*ii*) On 1-1-1925 ... None.
On 30-6-25 ... 17 (all akalis).

(*b*) Answered above.

All have since been released.

RETIRED GOVERNMENT OFFICIALS AND FREE MEDICAL ATTENDANCE.

2122. Mr. H. W. Webb: (*a*) Will Government be pleased to say whether any rule exists which debars retired Government officials from receiving free medical attendance when necessary at their homes and free medicines from Government dispensaries?

(*b*) If the answer to (*a*) is in the affirmative, will Government please say why Civil officials who were entitled to these privileges when in service should be deprived of them after retirement? Is Government aware that this entails great hardship on a deserving body of public servants who have devoted the best years of their lives to the service of the State?

(*c*) Will Government please say whether it is a fact that Military pensioners are allowed medical attendance and medicine *gratis* and if so, why there should be this invidious distinction between the two classes of retired public servants?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (*a*) Government officials after retirement are in precisely the same position as other members of the public as regards medical attendance.

(*b*) Government do not consider that there is any reason why a privilege granted to Government servants while in service in the interests of the service should be continued to them after they have left the service.

(*c*) The Government of India in 1904 ruled that a retired military officer with honorary rank was entitled to free medical attendance when residing in or in the immediate vicinity of a cantonment or civil station. It is not a fact that all military pensioners are entitled to free medical attendance.

PUNITIVE POLICE POST IN VILLAGE JANDIALA.

2124. Sardar Partap Singh: With reference to question No. 2049* *re* the imposition of a punitive police post in village Jandiala, district Jullundur, will Government please supply the following information as well:—

(*a*) Is it a fact that persons who have been most heavily cessed form a majority of those who are only alleged to be either Akalis or sympathisers of Akalis?

(*b*) Is it a fact that patwaris have been instructed to cess Akalis and their sympathisers to the utmost?

(*c*) If the answers to (*a*) and (*b*) be in the affirmative, will Government please state the reasons for singling out the Akalis for such a treatment? If no sufficient reason exists, will Government please state the reasons for not returning to the Akalis and their sympathisers the tax so charged?

(*d*) If the answers to (*a*) and (*b*) be in the negative, will Government please give a list of such persons, by name, who have been most heavily taxed, stating the reasons for taxing them heavily? Will it also state the name of the officer responsible for the assessment of the taxes?

(*e*) Is it a fact that the duration of the punitive post has been extended to a further period of one year?

(*f*) If the answer to (*e*) be in the affirmative, will Government please state the reasons why this post has been retained when others have all been removed?

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

HANDING OVER OF CERTAIN FORESTS TO THE PEOPLE.

2154. Chaudhri Ram Singh: (*a*) Will Government please state if His Honour the Lieutenant-Governor of the Punjab in his speech delivered at a Durbar held in Kangra on the 2nd October 1914, made a statement to the following effect:—

> "The Government wants to hand over to the people for their benefit all such forests as need no protection, itself exercising full control over all others with due regard to the right of the people to cut wood for domestic purposes."

* Vol. VIII-B, pages 13,4-15.

[Chaudhri Ram Singh.]

(b) If the answer to (a) be in the affirmative, will Government please state per tahsil the names of the forests transferred to the people and will it also state if people have been allowed the use of wood for domestic purposes in all the forests or whether there are some where this right is denied to them? If there are some forests where this right is denied, will the Government please state why?

The Honourable Mian Sir Fazl-i-Husain: (a) His Honour the Lieutenant-Governor did not hold a Durbar at Kangra on the 2nd October 1914.

(b) Does not arise.

Chaudhri Ram Singh: Was any Durbar held by His Honour the Lieutenant-Governor on the 25th October 1916?

The Honourable Mian Sir Fazl-i-Husain: I want notice of this question, as the registers will have to be consulted.

DAMAGE TO THE LANDS OF THE DAMTAL TEMPLE.

2161. Chaudhri Ram Singh: (i) Will Government please state if it is a fact—

(a) that village Damtal in district Kangra has been in the enjoyment of a muafi from times immemorial on account of the Damtal Temple?

(b) that the entire land attached to the *gaddi* of the Damtal Temple has been carried away by water on account of the operations of the Madhopur Irrigation Department at Dhango Hill?

(ii) If the answer to the above be in the affirmative, will Government please state whether any other land has been granted or not to the *gaddi* of Damtal Temple in lieu of the old one? If not, why not?

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

(b) No.

(ii) Does not arise.

OVERFLOW OF WATER FROM THE CHANNELS IN THE KARNAL AND ROHTAK DISTRICTS.

2172. Chaudhri Duli Chand: (a) Will Government be pleased to state the number of villages and the area affected by the overflow of water during the current year from the channels excavated to carry off flood water both in the Karnal and Rohtak districts?

(*b*) Has Government considered the desirability of sanctioning the remission of kharif and rabi instalments of land revenue for the whole of the area damaged by these channels during the year?

The Honourable Mian Sir Fazl-i-Husain: (*a*) One hundred and seven villages and about 23,000 acres were affected during the year 1925 by surface floods due to heavy rainfall in the Karnal and Rohtak districts.

(*b*) Proposals for grant of remission are being worked out by the District Revenue Officers, and final orders will be passed in due course. It is too early yet to make any statement regarding the treatment of Land Revenue for Rabi 1926.

RECOMMENDATIONS OF THE INDIAN JAILS COMMITTEE.

2187. Chaudhri Afzal Haq: Will the Government be pleased to lay on the table a statement showing the action taken by them in respect of each of the recommendations made by the Indian Jails Committee and the expenditure incurred by the Government in giving effect to the said recommendations?

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

RECOVERY OF FINE FROM JIWAN SINGH OF VILLAGE BHARANA.

2190. Lala Bodh Raj: (*a*) Is it a fact that one Jiwan Singh *alias* Ganda Singh, son of Suhel Singh, of Chak No. 45, village Bharana, thana Palloki, district Lahore, was a prisoner confined in the Central Jail, Multan, and released on 28th September 1925?

(*b*) Is it a fact that he had been sentenced to a fine of Rs. 200 and that the fine was deposited in the Central Jail, Multan, on his account on the above date?

(*c*) Is it a fact that a warrant of attachment of his property was also issued in April 1924 and that the amount of Rs. 300 was deposited in Chunian tahsil in fine account?

(*d*) Will the Government please state what was the sentence of fine against him for?

(*e*) Is it a fact that the fact of realisation of Rs. 300 mentioned in (*c*) above was not communicated to the authorities of Central Jail, Multan? If so, what were the reasons?

(*f*) Will the Government please state if the amount realised in excess will be refunded to the prisoner?

The Honourable Sir John Maynard: (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

(*d*) For an offence under section 145, Indian Penal Code, at Bhai Pheru in the Lahore district.

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(*e*) No.

(*f*) Yes, the money realised in excess will be refunded.

MUSLIM CANDIDATES FOR THE POSTS OF TAHSILDAR AND NAIB-TAHSILDAR.

2233. Rana Firoz-ud-din Khan: (*a*) Will the Government please lay on the table a statement showing the names of candidates from the Rohtak district accepted for direct appointment for the posts of Tahsildar and Naib-Tahsildar during the period of last ten years?

(*b*) Is it a fact that during the said period no Muslim candidate from that district was accepted for the said posts?

(*c*) If the answer to (*b*) is in the affirmative, will the Government kindly give reasons for not accepting even a single Muslim candidate of the Rohtak district and also please state what measures it proposes to adopt in order to ensure that adequate representation is given to the Muslim community in the revenue department?

The Honourable Mian Sir Fazl-i-Husain: (*a*) A statement showing the caste and religion of the candidates is laid on the table. It is not in the public interest to give the names.

(*b*) No.

(*c*) Does not arise.

Statement showing the number, caste and religion of candidates from the Rohtak district accepted for direct appointment for the posts of Tahsildar and Naib-Tahsildar during the past ten years.

Year.	TAHSILDAR.		NAIB-TAHSILDAR.		REMARKS.
	No.	Caste and religion.	No.	Caste and religion.	
1916 ...	...	...	...	...	
1917 ...	...	...	1	Brahman Hindu.	
1918 ...	...	...	2	One Jat Hindu and one Pathan Muhammadan.	
1919 ...	...	...	...		
1920 ...	...	...	2	One Brahman Hindu and one Muhammadan Rajput.	
1921 ...	...	...	2	Jats Hindu.	
1922 ...	1	Jat Hindu ...	...	...	
1923 ...	...	...	...	...	
1924 ...	...	...	...	...	
1925 ...	...	...	...	...	

HINDU-MUSLIM FRACAS IN THE PROVINCE.

2237. **Chaudhri Ram Singh :** Will the Government please lay on the table a statement showing—

(a) the places in the Punjab where Hindu-Muslim fracas broke out during the period of three years ending September 1926 ;

(b) the number of Hindus and Muslims who died or were wounded as a result of the fracas and the amount of losses suffered by each community ?

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

Place.	Date and place of occurrence.	Muslims No. of dead.	Muslims No. of wounded.	Hindus No. of dead.	Hindus No. of wounded.	Muslims' property stolen or burnt.	Hindus' property stolen or burnt.	Remarks.
Multan City ...	3rd September 1922	2	89	4	362	1. Rs. 42,854-15-6 were stolen. 2. 6 houses or shops were burnt.	1. Rs. 2,50,169-7-0 were stolen. 2. 6 temples and 42 shops or houses were burnt. 3. 9 temples were desecrated.	?
Amritsar ...	11th April 1923, Krishna Market.	...	5	...	11	...	Rs. 802.	
Do. ...	6th May 1923, Chowk Phullanwala.	...	...	...	3	...	...	
Do ...	Night of 7th-8th May 1923, Tehniwali Galli.	...	10	...	...	...	...	
Do. ...	Night of 7th-8th May 1923, Chitta Katra.	...	...	...	19	...	...	
Do. ...	8th May 1923, Chitta Katra Bazar Case.	...	1	...	...	...	...	
Do. ...	8th May 1923, Katra Khazana.	...	...	...	21	...	...	
Do. ...	8th May 1923, Chowk Kalu.	...	...	...	3	...	...	

Do. ...	April 1923 on different dates, Amritsar City.	...	58	...	2	77				
Panipat City ...	31st July 1922 ...	...	1	...		28				
Jhang (Chiniot)	18th March 1924 ...	...	...	...		84				*Note.*—Muslims were also stated to have received injuries in the riot but in the investigation conducted by a Magistrate, 1st Class, and Deputy Superintendent of Police it was held that the injuries were not the result of the action of Hindus and were probably caused by men of their own party or were self-inflicted.
Ludhiana (Khanna City).	25th December 1924	...	None, but the Maulvi was given some beating.	...		...	1. The wall of the mosque, under construction about one yard in height was demolished. 2. Certain pages of Quran Sharif and other books belonging to children reading there were torn off. 3. Two *kabis* and two iron pans belonging to Muslims were carried away by Hindus.			19 Hindus were challaned under section 147/295, Indian Penal Code, only as there was no proof under section 380, Indian Penal Code. The case was finally withdrawn under the orders of the District Magistrate.
Panipat Riot ...	1st August 1925, afternoon.	...	4		1	88 Hindus, 1 Sikh, Deputy Superintendent of Police.	Rs. 5	...	Rs. 5	... The number of wounded includes 2 Sub-Inspectors, 1 Head Constable and 2 Foot Constables.

DAMAGE BY FLOODS IN THE HOSHIARPUR AND LUDHIANA DISTRICTS.

2244. Chaudhri Afzal Haq : Will the Government be pleased to lay on the table a statement showing—

(*a*) the names of those villages in the Hoshiarpur district where the lands have been flooded in the year 1925 ;

(*b*) the names of those villages in the Ludhiana district where the lands have been flooded in the year 1925 ; and

(*c*) the relief that was given to the people of the flooded area ?

The Honourable Mian Sir Fazl-i-Husain : (*a*) and (*b*) A statement giving the names of the villages in each of the districts of Hoshiarpur and Ludhiana is laid on the table.

(*c*) In the villages named in the statements kharif crops are sown only to a small extent, so that sufficient relief can be given by remissions of revenue under the diluvion rules. Besides this, remission of revenue is being considered in one village, and takavi to the extent of Rs 250 has been given in Ludhiana and Rs. 1,960 in Hoshiarpur. It must be emphasised that the people depend chiefly on the rabi crops for the sowing of which the floods were beneficial.

The names of those villages in the Ludhiana district where the lands have been flooded in the year 1925 :—

Serial No.	Names of villages.	Serial No.	Names of villages.
	Tahsil Ludhiana.	19	Qutbiwal Arain.
		20	Kasabad.
1	Chawala.	21	Bhura.
2	Manewal.	22	Jasian.
3	Talwandi Kalan.	23	Bhatian.
4	Lodhuwal.	24	Kadian.
5	Razapur.	25	Fatteligarh Gujran.
6	Munj.	26	Jamalpur Lali.
7	Phoguwala.	27	Bhadarke.
8	Alowal.	28	Chuharwala.
9	Bholewal Qadim.	29	Bunt.
10	Majara Kalan.	30	Sasrali.
11	Kharak.	31	Gadapur.
12	Rajpura *alias* Husainpur.	32	Mattiwara.
13	Rajowal.	33	Ghumana.
14	Char.		
15	Bankar Dogran.		*Tahsil Jagraon.*
16	Gobindwal.		
17	Majara Khurd.	34	Walipur Kalan.
18	Shujaitwala.	35	Ghamnawal.

Serial No.	Names of villages.	Serial No.	Names of villages.
36	Manewal.	76	Chakli Adal.
37	Walipur Khurd.	77	Chakli Mangh.
38	Talwandi Nanabad.	78	Khera.
39	Aliwal.	79	Shahbazpur.
40	Bhundri.	80	Tanda Jal.
41	Kot Umra.	81	Mugliwal.
42	Gorsian Khan Mohammad.	82	Chak Samun.
43	Kot Mana.	83	Jodhwal.
44	Gorsian Qadar Bakhsh.	84	Burj Sherpur.
45	Talwara.	85	Sukhewal.
46	Shaikh Qutab.	86	Gaus Garh.
47	Bhaini Arain.	87	Sherian.
48	Keri.	88	Mand Fatehgarh.
49	Bhamal.	89	Mand Jodhwal.
50	Salimpur.	90	Daulatpur.
51	Bhaini Gujra.	91	Mond Jhorudi.
52	Sidhwan Bet.	92	Isapur.
53	Shafipur.	93	Rorewal.
54	Abupur.	94	Jasowal.
55	Gidarwindi.	95	Malikwal.
56	Lodiwala.	96	Masafarwal.
57	Kakar.	97	Sansowal Khurd.
58	Manawarpur.	98	Sansowal Kalan.
59	Mand Tiahara.	99	Jatiwal.
60	Shahbazpur.	100	Zulfgarh.
61	Taraf Kotli.	101	Jharudi.
62	Pati Multani.	102	Tanda Kishen Singh.
		103	Panjgrian.
	Taksil Samrala.	104	Udalwal Khurd.
		105	Udalwal Kalan.
63	Chak Lohat.	106	Mand Udalwal.
64	Sherpur.	107	Pohuwal.
65	Rajewal Rajputan.	108	Rahimabad Kalan.
66	Rajewal Jatan.	109	Rahimabad Khurd.
67	Bersal Kalan.	110	Jiwanpur.
68	Bersal Khurd.	111	Chaki.
69	Aslana.	112	Shamspur.
70	Khanpur.	113	Saidpur.
71	Mubarakpur.	114	Jotiwal.
72	Hambowal.	115	Gurugarh.
73	Ramgarh.	116	Lakhuwal Kalan.
74	Dhanur.	117	Lakhuwal Khurd.
75	Tanda Kalia.	118	Lobangarh.

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Serial No.	Names of villages.	Serial No.	Names of villages.
119	Bhagwanpur.	125	Nurpur.
120	Mathewal.	126	Kaonki.
121	Mahidipur.	127	Burj Powat.
122	Garhi Bet.	128	Hasanpur.
123	Burj Pakha.	129	Shotabgarh.
124	Burj Kachha.	130	Fatehgarh.

List of villages in the Hoshiarpur District where the lands have been flooded in the year 1925.

Serial No.	Names of villages.	Serial No.	Names of villages.
	Tahsil Hoshiarpur.	19	Noon.
1	Bhatrana.	20	Budhahala.
2	Phulahi.	21	Monan.
3	Badla.	22	Tahidpur.
4	Ibrana.	23	Phalra.
5	Naloian.	24	Khawaja Baina.
6	Ajjowal.	25	Galowal.
7	Bhikhowal.	26	Daimpur.
8	Dolowal.	27	Bhoja.
9	Dadupur Garoya.	28	Kotli.
10	Narunangal Pind.	29	Rajpur.
11	Nangal Shahidan.	30	Mohla.
12	Mahna.	31	Chak Suleman.
13	Patti.	32	Kanwen.
		33	Mewan Miani.
	Tahsil Dasuya.	34	Bhaini Mirza Khan.
		35	Ibrahimpura.
14	Mallanwal.	36	Abdullapur.
15	Paswal.	37	Kullah.
16	Saidowal.	38	Fateh.
17	Kalewal.	39	Habib Chak.
18	Fattu Barkat.	40	Katsatter Khan.

Serial No.	Names of villages.
41	Miani Afghanan
42	Ghandowal.
43	Kotli.
44	Rara.
45	Bhulpur.
46	Slempur.
47	Tahli.
48	Bhikhowal.
49	Khainan.
50	Alla.
51	Haler Janardhan.
52	Motla.
53	Chichian Chaurian.
54	Haler Dalip *alias* Musahibpur.
55	Kalian.
56	Tahidpur.
57	Miani Mallahan.
58	Tagar Kalan.
59	Mali.
60	Bagroi.
61	Noshera.
62	Ahirpur.
63	Kasana.
64	Mughla.
65	Bura.
66	Kotli Gujjran.
	Tahsil Gashtkankar.
67	Atari.
68	Mandar.
69	Mattan.
70	Mahmudpur.
	Tahsil Una.
71	Bela Dhiani.
72	Raipur II.
73	Daulowal.
74	Mattor.
75	Jajri.
76	Kotla.
77	Bhatali.
78	Bheni.
79	Mawa.
80	Gobindpur.
81	Mothapur.
82	Ramli.
83	Jajri.
84	Majra.
85	Katehri.
86	Mothli.
87	Haboli.
88	Shahpur.
89	Passi.
90	Batula.
91	Garh Baga.
92	Sarai.
93	Dejapur.
94	Nandpur.
95	Satothar.
96	Bahlola.
97	Panah.
98	Dumiwal.
99	Singhpur.
100	Gopalpur.
101	Larian.
102	Jatauli.
103	Kangar.
104	Barari.
105	Bhallwal.
106	Asalatpur.
107	Kanewal.
108	Mona.
109	Raipur.
110	Alzampur.

REPORT OF LALA BODH RAJ AND SARDAR GURBAKHSH SINGH IN REGARD TO MULTAN CENTRAL JAIL.

2260. Chaudhri Afzal Haq: Will the Government be pleased to state whether their attention has been invited to the joint report of Lala Bodh Raj and Sardar Gurbakhsh Singh, M.L.Cs., who made a surprise visit to the Multan Central Jail recently?

If so, what action have the Government taken on this report?

The Honourable Sir John Maynard: The honourable member is referred to the answer given to question No. 2292 * asked by Captain Dhanraj, Bhasin.

SARDAR DAN SINGH, M.L.C., AN UNDER-TRIAL PRISONER.

2261. Chaudhri Afzal Haq: (a) Will the Government be pleased to state (i) the weight of Sardar Dan Singh, M.L.C., an under-trial prisoner confined in the Lahore Fort at the time when he was first taken into judicial lock-up; (ii) the weight of Sardar Dan Singh in the month of September last?

(b) Is it not a fact that he is enormously reduced in weight?

(c) If so, will the Government be pleased to lay on the table a copy of his history ticket, showing what medical treatment was proposed for him?

The Honourable Sir John Maynard: (a) (i) 198 lbs. (ii) 146½ lbs.

(b) The above figures show the decrease in his weight. His normal weight should be 136 lbs.

(c) No history ticket is kept for the under-trial prisoners.

SUPPLY OF CLOTHING IN JAILS.

2263. Chaudhri Afzal Haq: Will the Government be pleased to state—

(a) the number of those jails where only one set of clothing is supplied at a time to the prisoners; and

(b) whether they propose to issue instructions to the Superintendents of all jails to supply two sets of clothings at a time to the prisoners?

The Honourable Sir John Maynard: (a) 8.

(b) Instructions have been issued to these jails to comply strictly with the provisions of paragraph 969, Punjab Jail Manual.

SUPPLY OF PERIODICALS TO PRISONERS.

2266. Chaudhri Afzal Haq: Will the Government be pleased to state—

(a) the names of those jails where periodicals have been supplied to the prisoners; and

(b) the names of the periodicals so supplied?

The Honourable Sir John Maynard: (a) Nil.

(b) Does not arise.

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*Vol. VIII-B., pages 1636-37.

PRISON LIBRARY.

2267. Chaudhri Afzal Haq : Will the Government be pleased to state—

(a) the number and the names of books issued to prisoners in each jail where prison library exists ;

(b) the number of prisoners who availed themselves of the prison library ; and

(c) whether the prisoners are informed of the existence of a prison library for their use and benefits ?

The Honourable Sir John Maynard : (a) 1,300,—*vide* lists* attached.

(b) 1,945.

(c) Yes.

PATHAN CONVICTS IN THE PROVINCE.

2271. Chaudhri Afzal Haq : Will the Government be pleased to state—

(a) the total population of Pathan convicts in the Province as compared with the Punjabi prisoners ; and

(b) the number of Pathan convict officers as compared with the Punjabi convict officers ?

The Honourable Sir John Maynard : (a) Pathan convicts 898, Punjabi convicts 16,315.

(b) Pathan convict officials 216, Punjabi convict officials 1,885.

TAHTKHAHI LESSEES IN DIPALPUR AND PAKPATTAN.

2274. Chaudhri Afzal Haq : Will the Government be pleased to state—

(a) the names of those lessees of the Taht Khahi in tahsils Dipalpur and Pakpattan who have not yet acquired proprietary rights ; and

(b) the area which each lessee possesses ?

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the proceedings of the debate on this subject in this Council at its meeting on the 3rd March 1925. There he will find that there are some 270 such leases covering an area exceeding 59,000 acres. Government does not consider that any useful purpose would be served by preparing the detailed information for which the honourable member asks.

DAMAGE CAUSED BY RIVER BEAS.

2277. Chaudhri Afzal Haq : (a) Is it a fact that most of the lands of village Abha, tahsil Dasuha, district Hoshiarpur, have been eaten up by the river Beas ?

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* See Appendix X.

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(b) Is it a fact that even the residential sites of the village have been washed away ?

(c) Is it a fact that the inhabitants of that village sent a memorial to the Government with respect to their present plight ?

(d) If so, what action has been taken or the Government proposes to take for the relief of these people ?

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

(b) Yes.

(c) No papers on the subject are traceable.

(d) Government is granting remission of land revenue for land washed away, and has under consideration the general question of allotting land on peasant terms to persons who have suffered by diluvion.

DAMAGE CAUSED BY FLOODS IN THE LUDHIANA AND HOSHIARPUR DISTRICTS.

2278. **Chaudhri Afzal Haq :** Will the Government be pleased to state—

(a) the names and number of those three-fourths of whose lands have been washed away by floods in the Hoshiarpur and Ludhiana districts ; and

(b) the names and number of those half of whose lands have been washed away by floods and stating also the name of the village to which they belong ?

The Honourable Mian Sir Fazl-i-Husain : A statement * showing the particulars required for the Hoshiarpur district is laid on the table for the information of the honourable member. There was no person in the Ludhiana district whose land was washed away by floods in 1925 to the extent of three-fourths or one half

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FLOODS IN VILLAGE PULL PUKHTA.

2280. **Chaudhri Afzal Haq :** (a) Is it a fact that the village Pull Pukhta, tahsil Dasuha, district Hoshiarpur, is again flooded this year ?

(b) Is it a fact that the zamindars of that place have telegraphed to the district authorities praying for help ?

(c) If so, will the Government be pleased to say what relief has been given to those people ?

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

(b) Yes.

(c) No special relief has been given, this village depends almost entirely on the Rabi crop.

INSPECTION OF FLOODED AREAS IN THE HOSHIARPUR AND LUDHIANA DISTRICTS BY AN OFFICER OF THE GOVERNMENT.

2281. **Chaudhri Afzal Haq :** Will the Government be pleased to state—

(a) whether any officer visited the scene of the flooded areas in the Hoshiarpur and Ludhiana districts at the time of last floods ; and, if so,

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* See Appendix XI.

(*b*) the designation of the officer who so visited the flooded areas and the date of his visit ; and

(*c*) what report he made of the situation ?

The Honourable Mian Sir Fazl-i-Husain : (*a*) Yes.

(*b*) The designation of the officers who visited the flooded areas and the dates of their visit are shown in the enclosed statement.

(*c*) The officers who visited the flooded area reported that in Ludhiana some 33 villages suffered loss of property and in many villages houses collapsed. There was no loss of human life; two cattle died.

In Hoshiarpur owing to heavy rains the floods in the rivers were very high. Several villages on the Beas river bank were under water for a very long time. The abadi of four villages situated in the islands of the river and near it were damaged. On the Sutlej less damage was caused owing to the river bank being high. There was no loss of human life, and altogether only 1,556 acres of land were washed away in 88 villages and 120 head of cattle lost.

Statement showing the designation of the officers who visited the flooded areas in the Ludhiana and Hoshiarpur districts in 1925.

Tahsil.	Designation of officers who visited the flooded area.	Dates of visit.
Ludhiana ...	1. Tahsildar ...	9th July 1925. 10th July 1925. 12th July 1925. 24th July 1925. 26th July 1925. 28th July 1925. 29th July 1925. 30th July 1925. 2nd August 1925. 4th August 1925. 13th August 1925. 16th August 1925.
Do. ...	2. Naib-Tahsildar, I ...	27th June 1925. 8th July 1925. 9th July 1925. 14th August 1925. 15th August 1925.
Do. ...	3. Naib-Tahsildar, II ...	15th August 1925.
Samrala ...	1. Naib-Tahsildar ...	24th August 1925.
	2. Field Kanungo ..	14th August 1925. 15th August 1925.
Jagraon ...	Tahsildar	17th August 1925.
Ludhiana Sadr ...	1. Deputy Commissioner	13th August 1925. 18th August 1925. 15th August 1925.

Hon. Mian Sir Fazl-i-Husain.]

Tahsil.	Designation of officers who visited the flooded area.	Date of visit.
Ludhiana Sadr—*concld.*	2. Revenue Assistant ...	13th August 1925. 14th August 1925. 15th August 1925. 9th July 1925. 4th October 1925.
	3. Superintendent of Police	13th August 1925. 14th August 1925. 15th August 1925.
	4. Pir Ghias-ud-Din, Extra Assistant Commissioner, Ludhiana.	Ditto.
	5. Sub-Inspector of Police	Ditto.
Hoshiarpur ...	Tahsildar	12th, 13th, 14th, 16th, 20th and 22nd of August 1925. 10th September 1925. 6th, 7th and 8th October 1925.
Garhshankar ...	Deputy Commissioner ...	8th September 1925.
	Revenue Assistant ...	19th July and 19th August 1925.
	S. Ahmad Hussain Shah, Assistant Collector, 1st grade.	8th, 9th, 10th, 11th, 12th and 13th August 1925.
	Tahsildar	9th to 19th August 1925.
	Naib-Tahsildar ...	24th to 29th August 1925.
Una	Ditto ...	20th to 21st July 1925.
Dasuya	Tahsildar	16th, 17th, 18th, 23rd, 25th, 28th and 30th August 1925.

PRISONER INDER SINGH OF THE MULTAN CENTRAL JAIL.

2293. Captain Dhan Raj, Bhasin: (*a*) Is it a fact that one Akali prisoner Inder Singh was given thirty stripes by the Superintendent, Central Jail, Multan, on or about the 26th of September 1925?

(*b*) Is it a fact that the said Inder Singh had been complaining to the non-official visitors, before he was flogged, that he was being mal-treated by the jail officials?

(*c*) Is it a fact that the non-official visitors recorded in the minute book that whichever prisoner complained against the jail officials to the non-official visitors was maltreated after the non-official visitors left the jail compound?

The Honourable Sir John Maynard: (*a*) Yes, with the concurrence of the District Magistrate, Multan, who personally enquired into the offence.

(*b*) Yes. He complained to the Superintendent, official visitors, and non-official visitors alike of mal-treatment before and after being flogged.

The Superintendent enquired into the alleged mal-treatment and found the charges false.

(*c*) No. One non-official visitor recorded a note in the minute book to this effect, but no case was substantiated.

ILAHI BUX, AN UNDER-TRIAL PRISONER IN THE DISTRICT JAIL, MULTAN.

2294. Captain Dhan Raj, Bhasin: (*a*) Is it a fact that one Ilahi Bux, an under-trial prisoner confined in the District Jail, Multan, complained to the trying magistrate through his Counsel that as an under-trial prisoner he was being confined in a separate cell and was made to do labour?

(*b*) Is it a fact that some non-official visitor recorded in the minute book that the said prisoner had complained to him that he was threatened with flogging and taken to the triangle for the purpose, so that the prisoner might retract the statement made by him in his complaint to the trying magistrate?

The Honourable Sir John Maynard: (*a*) Yes: but the statement was not true.

(*b*) He was never taken to the triangle or threatened in any way. Copies of extracts from remarks recorded by the two non-official visitors are attached, and special reference to those of non-official visitor B. Narindra Singh, M.A., LL B., is invited.

Copy of an extract of the remarks made by L. Bodh Raj, M.A., non-official visitor, in the Visitors' Book of the Multan District Jail, on 20th July 1925.

Ilahi Bakhsh, under-trial prisoner No. 567, stated before me to have been threatened with flogging and he was actually taken before the triangle. Then he was asked to retract from the statement he had made in an application to the trying court to the effect that he was confined in the solitary cell and asked to do labour.

Copy of an extract of the remarks made by Baba Narindra Singh, M. A., non-official visitor in the Visitors' Book of the Multan District Jail, on 30th July 1925.

These prisoners (relates to under-trial prisoners) refute the allegation that they are given any labour. Ilahi Bakhsh also denies that he was ever threatened with any flogging or was given any labour.

SALE OF NAZUL LAND BY THE PRESIDENT, MUNICIPAL COMMITTEE, MULTAN.

2309. Lala Bodh Raj: (*a*) Is it a fact that Khan Bahadur Sayad Rajan Bakhsh Shah, the President, Municipal Committee, Multan, applied on 27th January 1920 and 14th March 1922 to the nazul officer for the purchase of a narrow strip of nazul land lying between the city Alangwall and the shops of two timber merchants?

(*b*) Is it a fact that the Deputy Commissioner, Multan, recommended to Government on 3rd September 1924 the sale of the land at Rs. 5 per square yard?

(*c*) Is it a fact that the Government suggested the sale of the land to the owners of adjacent houses in which the timber trade was being carried on under the license from the Municipal Committee, Multan?

[Lala Bodh Raj.]

(d) Is it a fact that one Suleman, the owner of the adjoining houses, bid Rs. 13 per square yard for the land ?

(e) Is it a fact that on 29th April 1925 the Municipal Committee, Multan, decided not to renew the license for carrying on the timber trade in the houses adjacent to the strip of nazul land, and that on the same date Khan Bahadur Sayad Rajan Bakhsh Shah, the President of the Committee, also bid Rs. 13 per square yard for the nazul land in question ?

(f) Will the Government please state to which of the two bidders the piece of nazul land has been sold or the Government contemplates to sell and at what price ?

The Honourable Mian Sir Fazl-i-Husain :

(a) Yes ; but the applications were made to the Deputy Commissioner.

(b) and (c). Government does not disclose its correspondence with subordinate officials.

(d) and (e). Yes.

(f) The matter is still under consideration.

VERNACULAR CLERKS IN THE CIVIL AND CANAL DEPARTMENTS.

2312. Lala Bodh Raj : (a) With reference to the reply to question* No. 1927 asked on the 20th June 1925, will the Government please state if any educational standard is fixed for the appointment of vernacular clerks in Civil Department ?

(b) Is it a fact that there are vernacular clerks in the Canal Department possessing the same educational qualifications as those in the Civil Department, and that they are not drawing the same grade of pay as those in the Civil Department ; if so, what are the reasons for such distinction ?

The Honourable Sir John Maynard : (a) The minimum standard fixed by Notification No. 245, dated 12th February 1902, for all Government appointments on pay not exceeding Rs. 150 per mensem is the final middle school standard recognised by the Education Department.

(b) The second part of the question is not understood. The fact that a minimum educational qualification is laid down does not thereby imply that all persons who satisfy this standard should receive the same emoluments irrespective of the duties which they perform.

SELECTION OF AN ENGINEER FOR THE MUNICIPAL COMMITTEE, MULTAN.

2313. Lala Bodh Raj : (a) Is it a fact that the Municipal Committee, Multan, has selected a Muhammadan candidate for the post of Engineer, and that he is not qualified for the post ?

(b) If the reply to the latter part of the question (a) above be in the negative, will the Government please state what qualifications he possesses ?

(c) Is it a fact that under the rules the sanction of the Chief Engineer, Public Works Department, is necessary for appointing candidates of his qualifications ? If so, was such sanction obtained in the above case before his appointment ?

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*Vol. VIII-B, page 1160.

(*d*) If the answer to (*a*) be in the affirmative, and the answer to the second part of (*c*) be in the negative, will the Government please ascertain and state why the necessary sanction was not obtained ?

(*e*) If the necessary sanction was obtained, will the Government please say under what circumstances the necessary sanction was given while candidates duly qualified for the post and possessing higher qualifications than the one selected were available ?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (*a*) As regards the first part of the question Yes, and as regards the second, the Municipal Committee of Multan consider him fit for the post ?

(*b*) He has passed the Upper Subordinates' Examination from the Civil Engineering College, Roorkee, and possesses fourteen years' experience as Assistant Engineer and State Engineer in various places.

(*c*) Sanction of local Government was necessary and was not obtained.

(*d*) The Municipal Committee is now being asked to apply for necessary sanction.

(*e*) Does not arise.

ADVANCE OF TAKAVI LOANS TO THE STENOGRAPHER OF THE DEPUTY COMMISSIONER, MUZAFFARGARH.

2314. Lala Bodh Raj : (*a*) Is it a fact that M. Ghulam Mustafa the Stenographer of the Deputy Commissioner, Muzaffargarh, was advanced Rs. 500 as takkavi loan for the purchase of a house, and that he did, as a matter of fact, purchase a house from an Extra Assistant Commissioner at or about the same time when takkavi loan was advanced ?

(*b*) If so, will the Government please state if the takkavi loan can be advanced for such purposes ?

The Honourable Mian Sir Fazl-i-Husain: (*a*) An advance of Rs. 500 was made to M. Ghulam Mustafa, a Stenographer in the Deputy Commissioner's office, for the purchase of bullocks and not for the purchase of a house. M. Ghulam Mustafa owns considerable landed property. Six bullocks were purchased from the loan granted to him. It is also a fact that M. Ghulam Mustafa purchased a house from an Extra Assistant Commissioner, but he did so before taking the takkavi loan. The house was paid for by means of a loan taken from a local money-lender on interest.

(*b*) Takkavi loans for bullocks cannot be used for the purchase of house property.

ADVANCE OF LOAN BY GOVERNMENT TO MALIK QADIR BAKHSH.

2315. Lala Bodh Raj : (*a*) Is it a fact that the Deputy Commissioner, Muzaffargarh, advanced a loan of Rs. 1,000 to Malik Qadir Bux, Examiner of the Copying Department, for the purpose of sinking a well ?

[Lala Bodh Raj.]

(b) If so, is it also a fact that the loan was not used for the purpose for which it was sanctioned, but was used for his studies in the Law College?

The Honourable Mian Sir Fazl-i-Husain: (a) The Deputy Commissioner advanced a loan of Rs. 800 and not Rs. 1,000 to Malik Qadir Bakhsh, Examiner, Copying Department, for the purpose of sinking a well. Qadir Bakhsh is a zamindar of this district.

(b) The loan is being used for the purpose for which it was sanctioned. The Tahsildar reports that the well is being sunk. The advance was paid in October 1924, and two years' time was allowed for the construction of the well.

UNLAWFUL CONFINEMENT OF SUCHA SINGH.

2316. Lala Bodh Raj: (a) Is it a fact that one Sucha Singh, prisoner No. 5636, was released from the Central Jail, Multan, on 12th October 1925?

(b) Is it a fact that at the time he was released he was serving out the sentence in lieu of his fine, and that his substantive sentence had already expired?

(c) Is it a fact that the amount of fine was deposited on behalf of the prisoner on 9th October 1925, and that it was credited in the Jail Register on 10th October 1925?

(d) If the answers to the above be in the affirmative, will the Government please state what action it has taken against the officials concerned for having unlawfully confined the prisoner for three days from the 10th to the 12th October 1925?

The Honourable Sir John Maynard:

(a) No. Prisoner No. 5636 is Ujagar Singh, son of Guru Gobind Singh, and is still confined in jail.

(b) Does not arise.

(c) Ditto.

(d) Ditto.

AKALI PRISONERS IN THE CENTRAL JAIL, MULTAN.

2320. Captain Dhan Raj, Bhasin: (a) Is it a fact that Akali prisoners in the Central Jail, Multan, are generally given the hardest forms of labour to perform such as, grinding while confined in separate cells, pumping well, munj beating, surkhi beating and oil pressing, and that they have not been allowed any light labour? If so, what are the reasons for such exceptional treatment?

(b) Is it a fact that the non-official visitors to that jail have drawn the attention of the Government to the above fact? If so, will the Government please state what action has been taken in the matter.

The Honourable Sir John Maynard: (a) No. They are given light and medium forms of labour such as tailoring, tape making, ban

making, chick making, making munj durries, nara and naria spinning, etc. No exceptional treatment is accorded to Akali prisoners.

(*b*) Some non-official visitors did record that Akalis were generally given the hardest forms of labour. Their statements were not corroborated by facts.

SUPPLY OF WASHING MATERIALS TO SIKH PRISONERS.

2321. **Captain Dhan Raj, Bhasin:** Is it a fact that Sikh prisoners confined in the Central Jail, Multan, represented to the non-official visitors that washing materials supplied to them for washing their clothes and oil supplied for their hair are insufficient to serve their needs, and that their quantity should be increased? Was this complaint embodied in the report of non-official visitors?

If so, will the Government please state what action has been taken to remove their grievance?

The Honourable Sir John Maynard: Yes. The quantity has been ascertained by experiment to be sufficient.

SUPPLY OF CLOTHING TO AKALI PRISONERS IN MULTAN CENTRAL JAIL.

2324. **Captain Dhan Raj, Bhasin:** (*a*) Is it a fact that the Akali prisoners confined in the Central Jail, Multan, are given only one set of clothing at a time, while some of them when they were in the district jail had been given two sets of clothing at a time?

(*b*) Will the Government please state how many sets of clothing is a prisoner allowed at a time?

The Honourable Sir John Maynard: (*a*) The Akali prisoners in the Multan Central Jail are given one complete suit with one extra Kachera and a second Kurta and towel is issued after six months.

(*b*) Two. Instructions have been issued to jails to comply strictly with the provisions of paragraph 969 of the Punjab Jail Manual.

PRIVILEGE OF AKALI PRISONERS TO WRITE OR RECEIVE LETTERS.

2325. **Captain Dhan Raj, Bhasin:** Is it a fact that the Akali prisoners in the Central Jail, Multan, are not allowed the privilege of writing or receiving letters to which they are entitled under the jail rules, until and unless they give full details of their residence.

The Honourable Sir John Maynard: The privilege of writing and receiving letters is contingent upon good conduct according to paragraphs 550 and 550-A, Jail Manual, and is, with the concurrence of Government, withheld in the case of prisoners who give false or inadequate information as to their names, parentage and addresses. The privileges conferred by paragraph 549 of the Jail Manual are not contingent upon good conduct and are not withheld for misconduct of the nature described above.

AKALI PRISONERS.

2326. Captain Dhan Raj, Bhasin: (a) Is it a fact that Akali prisoners sentenced to imprisonment for one year or more and confined in the Central Jail, Multan, were not supplied new cotton clothing as required by paragraph 981 of the Jail Manual, but were given such clothing as had been previously in use, and that no note to that effect was made on their history tickets?

(b) Is it a fact that some of these Akali prisoners were supplied worn-out blankets and subsequently a few of them were punished by the Superintendent on the plea that they had carelessly allowed their blankets to be eaten by worms?

(c) Is it a fact that the Akali prisoners on their transfer to Central Jail, Multan, from the District Jail in August 1925, were supplied worn-out blankets, and that they drew the attention of the non-official visitors to this fact?

The Honourable Sir John Maynard: (a) No.

(b) No.

(c) No. Some non-official visitors made a complaint to this effect which was not corroborated by facts.

FEEDER ROAD BETWEEN THE IRRIGATION BUNGALOWS ATHKARIAN TO SHERWALA.

2327. Khan Muhammad Saifullah Khan: (a) Has the attention of Government been drawn to the fact that the feeder road between the irrigation bungalows Athkarian to Sherwala, which is used to carry agricultural produce to the market at Chichawatni, has been in a dilapidated condition for the past 3 years, and that the District Board, Montgomery, which is responsible for its proper maintenance, has paid no attention to put it in proper repair in spite of the repeated requests of the public?

(b) If so, will Government be pleased to state what action it has taken to get the road in question repaired?

The Honourable Sardar Jogendra Singh: (a) No.

(b) Enquiries have now been made and it is reported that the road is being repaired.

CATTLE DISEASE IN THE FEROZEPORE DISTRICT.

2329. Sardar Tara Singh: Will the Government be pleased to say—

(a) what disease among cattle was prevalent in the Ferozepore district during August 1925;

(b) what was the number of cases that had occurred; and

(c) what was the number of cases of the same disease in the month of August 1924?

The Honourable Sardar Jogendra Singh:

(a) Rinderpest and Hæmorrhagic Septicæmia were the only two contagious diseases among cattle, reported by the Veterinary Staff, in the Ferozepore District during August 1925.

(*b*) 116 cases of Rinder pest and 3 cases of Hæmorrhagic Septicæmia were reported.

(*c*) No case of the same diseases occurred during August of 1924.

TRAVELLING ALLOWANCE OF SUBORDINATES IN PUBLIC WORKS DEPARTMENT.

2334. Lala Mohan Lal Bhatnagar: (*a*) With reference to the reply given by Government to my question* No. 1659, asked in this Council on the 23rd March last, will the Government please lay on the table a statement, showing the average amounts of travelling allowance earned per head per month, by the members of the following services, in the Irrigation Branch Public Works Department, *viz.* :—

(1) Executive Engineers, (2) Assistant Executive Engineers, (3) Assistant Engineers, (4) Deputy Collectors, (5) Zilladars, and (6) Sub-Overseers and Overseers during the financial year 1924-25, under the working of the new Travelling Allowance Rules now in force, comparing these figures with those of the corresponding period in the year 1922-23 as regards decrease or increase, and state if the percentage of decrease in the case of Sub-Overseers and Overseers as compared with other services is not the greatest or nearly so ?

(*b*) If the answer to the latter part of (*a*) above is in the affirmative, will Government please take early steps to distribute the retrenchment effected in travelling allowance proportionately amongst all services in the Public Works Department, so as to ensure an equitable treatment to all the Subordinates of the Engineering Service ?

The Honourable Mian Sir Fazl-i-Husain: (*a*) The necessary averages and percentage of decrease or increase are as follows :—

Service.	Average amount of Travelling Allowance per head, per month		Percentage of decrease or increase.
	in 1922-23.	in 1924-25.	
1. Executive Engineers	194·6	169·2	−13·1
2. Assistant Executive Engineers ...	173·7	124·5	−28·3
3. Assistant Engineers	143·7	116·8	−18·7
4. Deputy Collectors	115·0	102·7	−10·7
5. Zilladars	55·75	56·8	+1·9
6. Sub-Overseers and Overseers ...	57·2	43·6	−23·78

From these figures it will be seen that the percentage of decrease is the greatest in the case of Assistant Executive Engineers, that of Sub-Overseers and Overseers coming second.

(*b*) Revision of the rules regarding Travelling Allowances to Engineering Subordinates of the Irrigation Branch is now under consideration.

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*Vol. VIII-A, pages 768-769.

TRAVELLING ALLOWANCE OF SUBORDINATES OF PUBLIC WORKS DEPARTMENT.

2337. Lala Mohan Lal, Bhatnagar: (*a*) Is it a fact that Tahsildars and Naib-Tahsildars have been earning the same amount of travelling allowance or more per month under the revised rules as before, while the travelling allowances of the subordinates of the Irrigation Branch (Sub-Overseers and Overseers) have been reduced under the revised rules?

(*b*) If the reply is in the affirmative, does the Government propose to take steps to set right the differences in the travelling allowance of the several classes of subordinates referred to in (*a*) above? If so, when?

The Honourable Mian Sir Fazl-i-Husain: (*a*) Instead of a daily allowance of Rs. 3-8-0 for Tahsildars and Rs. 2-8-0 for Naib-Tahsildars, these officers now draw a fixed travelling allowance of Rs. 50 and Rs. 40 per mensem respectively. It is impossible to say without an elaborate enquiry, the results of which would not be worth the labour involved, whether these officers are actually drawing, in the aggregate, more than they were before. As regards Overseers and Sub-Overseers of the Irrigation Department, a reference is invited to the answer given to Council question* No. 1659.

(*b*) It would serve no useful purpose to consider the travelling allowance of two classes of officers whose duties are so different.

NOTIFIED AREA COMMITTEE, NANKANA SAHIB.

2338. Lala Mohan Lal, Bhatnagar: (*i*) Is it a fact that the town of Nankana Sahib got the notified area committee after the establishment of a *mandi* here by the sale of land by the Mahants?

(*ii*) Is it a fact that neither the Government nor the Mahants spent anything on the *mandi* or on its improvements?

(*iii*) Is it a fact that the Government has, as a rule, helped all the Local Self-Government institutions established in colony towns with landed property yielding handsome income?

(*iv*) If so, does the Government propose to give the notified area committee, Nankana Sahib, also some landed property?

The Honourable Chaudhri Chhotu Ram: (*i*) Yes.

(*ii*) Yes.

(*iii*) No.

(*iv*) Does not arise.

ALLOWANCE OF KHARABA TO MILITARY GRANTEES IN KHANEWAL TAHSIL.

2343. Khan Haibat Khan, Daha: (*a*) Is it a fact that almost all the Muhammadan and Sikh Military grantees have been given lands at the tail of the minors, and furthermore on the tail of watercourses in the Lower Bari Doab Colony in the Khanewal tahsil?

(*b*) Is the Government aware that in the Khanewal tahsil the cotton crop has suffered considerably on account of scarcity of water and especially the Military grantees have a general complaint of insufficiency of water?

* Vol. VIII—A, pages 766-69.

(*c*) If so, does the Government propose to allow *kharaba* for the said crop?

The Honourable Mian Sir Fazl-i-Husain: (*a*) Out of 130 chaks allotted to Military grantees in this tahsil, eighty are situated at the tails of minors or on tail water-courses. These areas were mostly selected by the grantees themselves out of the best land available.

(*b*) The cotton crop has suffered to some extent, partly from scarcity of water and partly from unfavourable winds: but it is only slightly below the average. The Military grantees have complained of shortage of water, but this is chiefly due to decrease in actual supply as further allotments take place.

(*c*) Kharaba is assessed by the Irrigation Department on the actual result of the crop in each holding. There is no case for a general remission.

GRANT OF CERTAIN CONCESSIONS TO ZAMINDARS OF MAILSI.

2346. Khan Haibat Khan, Daha: Is it a fact that Government gave certain concessions to Taht Khabi zamindars of Pakpattan tahsil? If so, is the Government prepared to consider the claims of the zamindars of Mailsi tahsil for the grant of similar concessions?

The Honourable Mian Sir Fazl-i-Husain: If the honourable member will specify the concessions to which he is referring, it may be possible to furnish a reply to his question.

ABDUL HAKIM CANAL IN THE MULTAN DISTRICT.

2347. Khan Haibat Khan, Daha: (*a*) Is it a fact that Abdul Hakim Canal in the Multan District is excluded from the Haveli Project Scheme? If so, why?

(*b*) If the answer to the earlier part of (*a*) above is in the affirmative is it a fact that the area under Abdul Hakim Canal will be included in the Lower Bari Doab Colony for purposes of irrigation?

(*c*) Will there be no permanent irrigation arrangement for the area under Abdul Hakim Canal if it is not included in the Haveli Project or the Lower Bari Doab Canal?

(*d*) Is it a fact that some portions of old villages under the Abdul Hakim Canal have now been included for irrigation in the Lower Bari Doab Canal, while the remaining portions of the same villages are not so included?

(*e*) Is the Government aware that putting a single village under two canals entails difficulties to the owners of the lands in the village? If so, has the Government considered the advisability of putting the entire village under the Lower Bari Doab Canal?

The Honourable Mian Sir Fazl-i-Husain: (*a*) Yes, because it cannot be commanded by that Project.

(*b*) Yes. It is proposed to include this canal in the Lower Bari Doab Canal.

(*c*) Does not arise.

(*d*) No.

(*e*) Does not arise.

INTERVIEW WITH CERTAIN PRISONERS IN THE CAMPBELLPUR JAIL.

2348. Sardar Dhira Singh : Will the Government be pleased to state whether—

(a) Sardar Sajjan Singh applied to the jail authorities of Campbellpur on the 15th July 1925 for permission to have an interview with—

(i) S. Manmohan Singh, Akali convict, No. 3519, village Pindicheri, district Sheikhupura ;

(ii) S. Jagjit Singh, son of Bela Singh, village Dhund (Amritsar), and

(iii) S. Udham Singh, convict No. 3670,

and whether the application was rejected ?

(b) Is it a fact that the said three convicts were entitled to hold interview with their friends on the said date under the jail rules ?

(c) If so, will the Government please state why the application of S. Sajjan Singh was rejected ?

The Honourable Sir John Maynard : (a) Yes.

(b) Yes.

(c) Because the object of the interview as stated by S. Sajjan Singh was considered undesirable.

ESCORT OF DISCHARGED PRISONERS TO RAILWAY STATIONS.

2349. Sardar Dhira Singh : Is it a fact that the practice of sending police guard to escort the Akalis after their release from the Campbellpur jail has been ordered to be stopped ? If so, will the Government be pleased to state why the Akalis are still escorted by the jail warders to the Railway Station after their release at the expiry of their full sentence ?

The Honourable Sir John Maynard : No, but the Police keep under surveillance, on their release from Jail, characters whom they consider suspicious or likely to provoke a breach of the peace irrespectively of creed or calling, as long as they remain in the vicinity. Jail warders are not detailed for this or any other duty in connection with the surveillance of released prisoners.

EPIDEMICS IN JAILS.

2351. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(i) the jails wherein epidemics broke out during the last twelve months ?

(ii) the nature of the epidemics ;

(iii) the number of cases of each epidemic ;

(iv) the deaths from each of such epidemics ;

(v) the cases where there was doubt as to the cause of death ?

The Honourable Sir John Maynard :

(i) Rawalpindi District Jail.

(ii) Cholera.

(iii) 37.

(iv) 22.

(v) There was no case at Rawalpindi of which the cause of death was doubtful.

VISIT OF JAILS BY THE MEMBERS OF THE STANDING COMMITTEE ON JAILS.

2354. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(i) the names of the members of the Standing Committee of the Legislative Council on Jails who visited the jails since their appointment as *ex-officio* non-official visitors of jails ;

(ii) the jails visited by them ;

(iii) if any jails have been visited by any of them more than once, and if so, which jails have been so visited, how many times and at what intervals ?

The Honourable Sir John Maynard : (i) S. Gurbakhsh Singh, Chaudhri Afzal Haq, L. Bodh Raj, Chaudhri Muhammad Shafi Ali Khan.

(ii) S. Gurbakhsh Singh visited Lahore Borstal Institution, Multan District Jail, Multan Central Jail, Montgomery Central Jail, Ambala District Jail, Campbellpur District Jail and Rawalpindi District Jail.

Chaudhri Afzal Haq visited Lahore Central Jail, Multan Central Jail, Lahore Borstal Institution, Montgomery Central Jail, Jullundur, Ambala, Ludhiana, Gujranwala, Rawalpindi, Ferozepore, Gurdaspur and Multan District Jails, Hoshiarpur and Amritsar Sub-Jails.

L. Bodh Raj visited Lahore, Multan and Montgomery Centrail Jails, Multan, Lyallpur, Campbellpur, Rawalpindi, Dera Ghazi Khan, Jullundur and Mianwali District Jails and Muzaffargarh Sub-Jail.

Chaudhri Muhammad Shafi Ali Khan visited Rohtak District Jail and Karnal Sub-Jail.

(iii) S. Gurbakhsh Singh—Montgomery Central Jail on 21st and 29th September 1925.

Ambala District Jail on 11th July and 28th September 1925.

Lala Bodh Raj—Multan District Jail on 30th June, 20th July, and 24th September 1925.

Multan Central Jail on 3rd July, 8th August, 11th August, 31st August and 23rd September 1925.

Dera Ghazi Khan District Jail on 11th and 12th September 1925.

Muzaffargarh Sub-Jail on 4th and 5th September 1925.

Chaudhri Muhammad Shafi Ali Khan—Rohtak District Jail on 12th February, 17th June, 22nd July and 24th October 1925.

VISITS OF JAILS BY THE MEMBERS OF JAIL STANDING COMMITTEE OF THE COUNCIL.

2365. Chaudhri Afzal Haq : (a) Is it a fact that several members of the Jails Standing Committee of the Council have from time to time visited several jails of the province and have made remarks about them ?

(b) Is it fact that the action taken by the Government on the remarks of the members has not been communicated to them as laid down in the jails rules ?

[Ch. Afzal Haq.]

(c) If so, will the Government be pleased to state whether they propose to do so now?

The Honourable Sir John Maynard:

(a) Yes.

(b) The procedure is that the Superintendent after taking action on such points as he considers lie within his province, sends the non-official visitors' remarks with his notes to the Inspector-General of Prisons, Punjab, who passes such orders as he considers necessary, referring to Government such points as he considers he is not competent to deal with. The remarks with the orders passed are then returned to the Superintendent, who informs the non-official visitor accordingly. This procedure has not been followed in all cases, but will be followed for the future.

(c) Does not arise.

PROMOTION OF CLERKS FROM A LOWER TO A HIGHER GRADE.

2366. Chaudhri Afzal Haq: (a) Is it a fact that very recently a circular letter has been issued to all the Deputy Commissioners of the Punjab to the effect that the clerks in the grade of Rs. 30—1½—70 should not be promoted to the higher grades of Rs. 40 to Rs. 90 and Rs. 75 to Rs. 125?

(b) If so, is Government aware that great dissatisfaction has been caused among the clerks of the lower grade by this circular?

(c) Does Government propose to consider the advisability of cancelling this letter?

The Honourable Sir John Maynard: (a) No absolute prohibition has been made against promotion of junior grade clerks, but such promotion is generally to be deprecated as tending to confuse distinction between "Senior" and "Junior" grade clerks who are recruited on different qualifications and to block promotion to superior grades.

(b) No.

(c) In the circular referred to it has already been stated that such promotion is not absolutely prohibited, and Government will explain that the instructions are not intended to bar the promotion of deserving candidates already existing in the lower grades.

SUPERINTENDENT OF POLICE, HISSAR DISTRICT.

2370. Chaudhri Sahib Dad Khan: (a) How long has the present Superintendent of Police been serving in the Hissar district?

(b) Is there any maximum period fixed for a Superintendent of Police to serve in a district before he can be transferred to another district? If so, what is that period?

(c) Is it a fact that since the posting of the present Superintendent of Police to the Hissar district in the beginning of 1922, several Muhammadans have been murdered and all the prosecutions in those cases have failed?

(d) If the answer to (c) is in the affirmative, did the Superintendent of Police move for revision or appeal in the cases referred to?

The Honourable Sir John Maynard:

(a) Since the 17th March 1922.

(b) No.

(c) No.

(d) Does not arise.

IRRIGATION OF LANDS IN THE SIRSA TAHSIL.

2371. Chaudhri Sahib Dad Khan: (*a*) Is it a fact that when in 1896, Ghaggar water was proposed to be collected for irrigation purposes by means of a dam at Otu in the Sirsa tahsil, it was agreed to by Government that 55 per cent. of the canal water was to be utilised for the irrigation of lands in the Sirsa tahsil and 45 per cent. of the water for irrigating the lands in the Bikaner State?

(*b*) Is it a fact that since then, the said agreement has been contravened and most of the canal water goes to the Bikaner lands on account of the silted bed of the canal having been raised and certain distributaries having been stopped altogether in the Sirsa tahsil?

(*c*) Is it a fact that the bed having been silted the Otu bridge allows only a short flow of water in the canal? If so, does the Government propose to raise the said bridge and have the silt cleared?

The Honourable Mian Sir Fazl-i-Husain: (*a*) The reply is in the affirmative.

(*b*) The reply is in the negative. The Ghaggar Canals have hardly silted. Bikaner State is not given a greater share of the supply than they are entitled to. The regulation is in the hands of the Punjab Government, and as a matter of fact in 1923 there was a protest from the State that it was not being given the share to which it was entitled.

(*c*) The canals are not suffering from silting of the Reservoir. The silt clearance of the Reservoir at any time is out of the question because of the enormous expense involved.

SUB-INSPECTOR OF POLICE AT REWARI.

2374. Chaudhri Sahib Dad Khan: (*a*) Is it a fact that several complaints have been received by Government or the officers under it against the Sub-Inspector of Police at Rewari? If so, what action has been taken thereon?

(*b*) Is it a fact that the Sub-Inspector has been at Rewari for more than three years?

The Honourable Sir John Maynard:

(*a*) Yes. Anonymous petitions which were destroyed.

(*b*) Yes. An extension of six months has been given to him in the interests of the administration.

GARDENS ATTACHED TO THE CANAL BUNGALOWS.

2377. Khan Muhammad Abdullah Khan: Will the Government be pleased to lay on the table—

(*i*) a statement showing the income derived from each of the gardens attached to the canal bungalows and canal regulators of the Muzaffargarh district for the years 1922, 1923, 1924 and 1925;

(*ii*) a list showing the names and sites of the various gardens mentioned in (*i*) above?

The Honourable Mian Sir Fazl-i-Husain: A statement giving the information asked for is attached.

Hon'ble Mian Sir Fazl-i-Husain.]

Statement showing income derived from gardens attached to Canal Bungalows and Regulators in the Muzaffargarh Inundation Canals Division.

Serial No.	Name of site of garden.	Income derived. 1922.	1923.	1924.	1925.	Remarks.
		Rs.	Rs.	Rs.	Rs.	
1	Kot Sultan Inspection House.	...	...	10	16	Small ornamental and vegetable garden.
2	Machhi Inspection House	12	12	12	18	Small ornamental and vegetable garden. Fruit trees too small to bring an income.
3	Kaobela " " ...	12	12	34	26	
4	Muzaffargarh Inspection House.	...	...	...	...	Only an ornamental plot and shade trees attached to Divisional Office.
5	Kinjar Inspection House	66	100	70	93	
6	Khangarh Idspection House.	...	...	...	...	Small ornamental and vegetable garden.
7	Basira Inspection House	...	...	...	...	Ditto.
8	Rohillanwali Inspection House.	...	...	13	...	Ditto.
9	Kalu Regulator ...	200	240	50	110	
10	Ajabwala Regulator ...	140	150	92	85	
11	Tarar " ...	142	160	182	146	
12	Shujra Inspection House	95	18	52	19	
13	Jatoi " " ...	44	97	45	28	
14	Damarwala " " ...	18	8	11	8	
15	Dara " " ...	...	...	...	...	Small ornamental and vegetable garden. Fruit trees too young to bring any income.
16	Orchards and fruit trees scattered about in the Division.	578	681	450	563	
	Total ...	1,247	1,398	1,021	1,102	

AMBALA DISTRICT BOARD.

2385. Rai Sahib Lala Ganga Ram: Will the Government be pleased to state the number of elected and nominated members separately

in the Ambala district board and the number of Sikh, Muhammadan and Hindu members among them and also the number of agriculturists and non-agriculturists separately among them?

The Honourable Rai Sahib Chaudhri Chhotu Ram: A statement giving the required information is laid on the table.

AMBALA DISTRICT BOARD.

	Total No.	Agriculturists.	Non-Agriculturists.	Sikhs.	Hindus.	Muhammadans.
Elected Members	32	31	1	15	12	5
Nominated Members	5	4	1	1	4	1

GRANT OF LAND IN CHAK NAULA KOTGARH TO GOPAL DAS.

2387. Rai Sahib Lala Ganga Ram: (*a*) Is it a fact that a piece of Government land measuring one bigha, fifteen biswas, situated in Chak Naula Kotgarh, district Simla, was given to one Gopal Das and the villagers made a strong protest against this grant?

(*b*) If so, will the Government please state what action has been taken on this protest?

The Honourable Mian Sir Fazl-i-Husain: (*a*) Yes, but the protest was made some 6 months after the grant had been sanctioned.

(*b*) Enquiries are being made.

ANNOUNCEMENT FROM THE CHAIR.

GOVERNOR'S AND GOVERNOR-GENERAL'S ASSENT TO BILLS.

Mr. President: I have to acquaint the Council that His Excellency the Governor and His Excellency the Governor-General have been pleased to give their assent to the following measures:—

The Punjab Court-Fees (Amendment) Act, 1926.

The Punjab Primary Education (Enforcement) Act, 1926.

PRESENTATION OF THE BUDGET.

The Honourable Sir John Maynard (Finance Member) : When the Persians wish to describe a man who has experienced vicissitudes of fortune, they speak of him as one who has seen much heat and cold. To me as a maker of budgets the meteorological metaphor is particularly appropriate. The six budgets of this Province for whose preparation I have been responsible have travelled over the whole range of the financial barometer from discontent and drought and deficit, through the stages of gradual recovery, to the present time: which, with all the caution and modest reserve becoming to one who has seen the clouds of misfortune pass suddenly over the fair face of an untroubled heaven, I venture to describe as one of happy promise. As the figures unfold themselves, the House will see that resources for the more complete development of the process of nation building are now beginning to be in sight and that the pressing need of the moment is for the more expeditious framing of concrete schemes to meet the public demand for that development. In years of poverty, the habit of thinking ahead is apt to be lost, and it is not at once recovered when the pressure of want is relieved.

The years of poverty appear to have passed. Our Budget Estimate for the current year (1925-26), with the modifications made in May, in consequence of the partial remission of the Provincial contribution, the remission of 20 lakhs of taxation, and the acceptance of additional expenditure in the beneficent departments, should have given us an ordinary revenue of 10,77 and an expenditure charged to revenue of 10,82. On our revised figures it will give us 11,16 of revenue receipts and 10,40 of expenditure, making a total betterment of 81 and giving us a surplus in revenue account of 76 lakhs. Of this balance we transfer 27 lakhs to the extraordinary account for reasons which I shall presently explain. The betterment, and the surplus on ordinary revenue account would have been substantially more than this but for a measure of financial precaution which we have thought prudent to take.

The reduction of the period of limitation for the institution of suits for the recovery of ordinary debts from 6 years to 3, caused an abnormal increase in civil litigation and consequently in the revenue from Court Fees Stamps in the spring and early summer of 1925, when the changed law was on the point of coming into effective operation. It would have been misleading to credit this very large windfall to ordinary revenue, since it cannot in the nature of things be recurrent. Forty lakhs have, therefore, been credited to Extraordinary Receipts in 1925-26 which we abstain from setting against ordinary expenditure.

The increase of 39 lakhs in the aggregate of ordinary revenue receipts in the revised estimate of the current year—an error of a little more than 3½ per cent.—is more than accounted for by the figures for Irrigation. Direct receipts under that head are better by 29, and indirect by 4,—I am speaking throughout in lakhs—the total improvement, after allowing for increased working expenses, being just under 30 lakhs, the bulk of which is accounted for by a phenomenal increase in the cultivation of cotton. The area under cotton nearly doubled itself in two years.

This increase under Irrigation, direct and indirect, with 8 lakhs under Land Revenue and 7 lakhs under Miscellaneous Adjustments, wipes out a fall of 4 lakhs in Forests and 3 under Excise and leaves us with the net improvement in receipts of 39, other variations from the Budget being of minor importance.

The revised indicates an expenditure of 41 lakhs less than the budget, an error of 3·8 per cent. The most noticeable feature of this underspending is the evenness of its distribution over a very large number of heads. With the exception of a few proportionately large defects (5 lakhs each under Interest on Irrigation outlay and Medical, and 4 lakhs each under Administration of Justice, Agriculture, Pensions, and Civil Works), the items exceed 2 lakhs each only in the cases of General Administration (3 lakhs) and Miscellaneous Irrigation (3 lakhs). Forests and Police each account for two lakhs; and Excise, Jails, and Industries, each for one lakh. Education, with a defect of only Rs. 10,000 under Reserved and an excess of only Rs. 41,000 under Transferred, Public Health with an excess of only Rs. 46,000, Stationery and Printing with excess of a few thousands, are examples of successful original budgetting only slightly marred in the case of Education by the non-utilisation of subsequent supplementary grants. There can be no satisfying reply, however, to the charge that the figures generally indicate a continuance of the tendency to the over-budgetting of expenditure. But a comparison of the differences between budget and revised for the years 1924-25 and 1925-26 does indicate some advance towards accuracy in the latter year, the percentage of error being 3·8 as against 4·5 and this improvement has been achieved in spite of the substantial additions to budget provision made in May last, which might reasonably have been expected to result in underspending, owing to the late date at which they were made. Hon'ble Members will also observe that we have succeeded this year in obtaining final figures or virtually final figures for 1924-25 before preparing the budget of 1926-27. These figures for the actuals of a very recent year, should both in the budgets of receipts and expenditure, serve as a valuable check upon estimates and tend still further to reduce the margin of error in future. We have in fact utilised these final figures for 1924-25 to make some drastic changes in the budget for 1926-27; changes which cannot be justified on the detailed figures given by the departments, but which my colleagues and I feel, on our past experience of departmental tendencies and on the incontrovertible testimony furnished to us by the actuals of a recent year, to be likely to bring us a step nearer to realities. These changes have been shown in the form of "Probable savings," as a deduction from the totals of the sub-heads as shown in the detailed budgets; and the totals given in the abstract and in the demands which will be put before the Council, represent the net totals after deduction of these probable savings, which amount to something like 2 per cent. of the aggregate budget.

Apart from these lump deductions of probable savings the budget for 1926-27 has another feature which calls for preliminary explanation. For the first time we have insured against that periodical recurrence of drought which, without necessarily involving any very large expenditure on famine relief, reduces, as in the first year of the Reformed administration, our receipts from Land Revenue and other sources by an amount which may be anything between 1 and 2 crores. Those Hon'ble Members who were not of this Council in its earlier days have only to cast their eyes back to the figures of 1921-22 which they will find in the abstract statement prefixed to the budget volume, to realise that pessimistic forecasts and unexpected surpluses are not always the experience of this Province. In that year ordinary receipts went down as low as 864 lakhs while expenditure charged to revenue was Rs. 1,069. Remembering what may happen, and what indeed, in a series of years, is certain to happen sooner or later, we have endeavoured to provide against its humiliating and embarrassing results. Under head 21 "Reduction or avoidance of debt," Hon'ble Members will find 20 lakhs of rupees added on this account.

[Hon'ble Sir John Maynard.]

This provision having been made in each successive year of prosperity or normal conditions, we shall be justified, if necessary, in borrowing to cover a revenue deficit in the bad year when it comes, as we may expect it to come every tenth year or so.

For the coming year, in the ordinary revenue items of receipt, we budget for an improvement, over the revised figures, of one lakh in Land Revenue, 8 in Stamps, 4½ in Irrigation (due to a smaller provision for working expenses), 7½ in Forests, and other smaller increases, making 34 lakhs in all. These figures viewed in connection with the substantial surplus of 76 lakhs now anticipated for the current year, justify us in relaxing something of that rigid restriction upon new expenditure, which, up to the time of the partial remission of the provincial contribution to the Government of India last year, had governed our conduct of the Provincial finances.

The discussion on the budget of last year showed an almost universal demand for more outlay on nation building, education, medicine curative and preventive, agriculture, industries, roads: and pressure for application of funds to these purposes rather than to reduction of debt. The subsequent proceedings in May showed the Council quite ready to approve projects aggregating 50 lakhs for those purposes out of unexpected funds. Government is at one with the Council in this matter and is this year proposing a more liberal scale of new expenditure; largely on beneficent departments, and also in some measure to make up for arrears of expenditure elsewhere during the lean years. All of these proposals are not yet ready, but a substantial proportion of them has been included in the budget.

A paragraph in Mr. Irving's budget note which will be found in the budget volume shows how we are spending the balance of the last year's windfall, which was not absorbed by remission of taxation and by new recurring expenditure at that time accepted by the Council. The new expenditure on beneficent departments for which the present budget provides exceeds this balance. These departments get, out of new expenditure debited to revenue, 16 out of 27 lakhs recurring, 24 out of 35 lakhs non-recurring, and 22 out of 53 of works; to which is to be added 7 for communications; making a total of 69 out of 1,14. The seven heads which are classed together under the general head of Civil Administration, cost 290 lakhs in 1921-22, and are budgetted to cost 302 in 1926-27, an increase of 4 per cent. The seven heads which we class as beneficent departments cost 1,69 lakhs in 1921-22 and are budgetted to cost 2,75 lakhs in 1926-27, making an increase of 62 per cent.

In former years, Sir, I have described the passage of the ship Budget between monster and whirlpool, the monster of the spending departments and the whirlpool of Council criticism, and the snatching of the shrieking victims out of the crew by the former. This year we are so feeding the monster that he neither roars nor clashes his sixfold rows of teeth. He is engaged for the moment in the process of digestion. A child might play with him. And if a monster can be imagined to have a reserved as well as a transferred side to his digestive apparatus, this enviable state of placid repletion is mainly on the latter. But the process of digestion is temporary only. We must recognise that a higher standard of administration is now demanded of us, and that the removal of the inhibitions imposed by poverty sets us free to make a nearer approach to meeting the new demands. We contemplate the submission to the Council in a later session, to be held probably in June next, of supplement-

ary demands for this purpose, when the plans of the Agricultural and other departments have been more fully worked out; and the Reserved, as well as the Transferred Heads, will claim their share of the further provision for which we shall ask.

If we now turn to the details of expenditure charged to revenue, the most notable feature of our budget is a large increase in Civil Works (Transferred) which rises from 116 in the revised to 1,46, in consequence of the large programme of new expenditure by which we design to make up the arrears of the bad years. There are large increases under Medical and Public Health, which rise from 35 and 17 to 47 and 31, respectively, in consequence of the programme of development framed by the Hon'ble Minister for Education. The most notable features of this Health programme are the provision of 375 new village dispensaries (of which 70 are to be provided in 1926-27), also the taking over by Government of hospitals at Tahsil headquarters, the rebuilding and equipping and maintaining of a number of female hospitals, a substantial increase in the grants to local bodies for sanitary schemes, and the provision upon a liberal scale for the new Rural Sanitary Board, which will deal with drainage and the problems of rural sanitation generally.

A substantial increase under the head Reduction or Avoidance of Debt has already been explained as a measure of insurance against the recurrence of bad agricultural years. The rise of 9 lakhs under Head 14 (Interest on Irrigation Debt) is the natural result of progress in the expenditure on large productive works; but the significance of the entries here will only be grasped if they are read alongside of Head 19, the Interest on Ordinary Debt. Under Head 19, Hon'ble Members will find large minus items, five lakhs in the revised and 10 in the budget. In these somewhat mysterious symbols is concealed a fact which is the glory and support of Punjab Finance. Under Head 14, the interest shown is not the interest paid, but the interest which would have to be paid if we relied for our capital expenditure upon borrowing only. The minus item under Head 19 is the approximate measure of the gain which results to us year by year by the utilisation of extraordinary receipts instead of borrowed money. In 1926-27 we gain 10 lakhs under the interest head therefor, because we have made use of the proceeds of sales of land for capital expenditure, and the minus item is the sign of that gain.

Other heads of expenditure in which we budget for an increase are:—General Administration (4 lakhs, mainly due to the provision of 8 lakhs for the cost of elections but the head is also affected by the transfer to it of Criminal Tribes and Honorary Magistrates); Miscellaneous Reserved (3 lakhs, due to Grants to Colony Towns); Agriculture and Industries (6½ and 1½ lakhs, respectively, in virtue of the new programmes of expansion); Forests (4½ lakhs, under the accepted convention of a particular ratio between revenue and expenditure); Justice (1 lakh); while a decrease is shown under Superannuations and Pensions (5 lakhs due to the transfer of commutation charges to capital) and under Excise (2½ lakhs).

The upshot is that our proposed expenditure charged to revenue, as proposed in the budget for 1926-27, is Rs. 11,36 lakhs, against Rs. 11,50 lakhs of revenue receipts, giving a surplus on the year's working of 14 lakhs, and a closing balance which, added to the opening balance of the year, amounts to 63 lakhs.

[Hon'ble Sir John Maynard.]

So far we have been dealing with ordinary revenue and the expenditure charged to it. I will now ask Hon'ble Members to direct their attention to the figures of the Extraordinary account. They are already made familiar by frequent explanations given in this House with the practice of separating the sale-proceeds of land from ordinary revenue and classifying them under head XI as Extraordinary Receipts. The object, which I am never tired of repeating, is to keep us all on our guard against the expenditure of monies which, in the nature of things, we can only receive once, upon ordinary recurring needs; and at the same time to prevent outside critics and outside authorities from assuming that our normal receipts are permanently swelled by these extraordinary items which must come to an end, or almost to an end, when all the Crown lands of the Province have been disposed of. As mentioned in an earlier part of this speech we have carried this precaution a step further this year by crediting an exceptional windfall of 40 lakhs in the Stamp Revenue to the extraordinary head in the revised estimate.

In previous budgets we have contented ourselves with indicating the credit to the Extraordinary Head, and we have not previously attempted to show how our accounts under that head stand or how the proceeds of the extraordinary receipts are being expended. In the abstract prefixed to the present budget Hon'ble Members will notice that we give the opening balance, the expenditure, and the closing balance of the Extraordinary Account in addition to the bare receipts. In order to do this it has been necessary to examine the provincial accounts for twenty-five years past. I will not trouble the Hon'ble Members with the details of this examination. But Hon'ble Members will be interested to know that its result has been to show that the opening balance of 193 lakhs, with which the Province started at the inauguration of the Reformed Constitution, consisted of 66 lakhs on revenue account and 1,27 on account of the sales of land. Then followed the deficit years of which we still have only too vivid and painful recollection, when our balances were obliterated and debts incurred on revenue account, and thereafter the financial recovery which has at length enabled us to put forward a programme of expansion. The general closing balance at the end of the year 1924-25 was, however, entirely made up of the sale-proceeds of land, and, on a strict application of the principle that overdrawals on revenue account should be paid off by subsequent surpluses in that account, the revenue account still owed some 70 lakhs to the extraordinary. In other words the current year with its balance of 76 lakhs on Revenue account is the first in which we are entitled to take credit for a real revenue surplus, not derived from temporary raiding upon the extraordinary account.

These calculations have enabled us to show the correct opening balance of 1,30,04,000 under the receipt head of the Extraordinary account in the revised estimate for 1925-26. Including that opening balance there were 235 lakhs to the credit of the account, out of which 124 were expended upon the capital items shown, being mainly 94 on Irrigation and 21 on Civil Works, and 1,11 carried forward. In 1926-27 we budget for 1,31 from sales of land which together with the opening balance makes 2,42 lakhs; and that sum we propose to expend as follows :—1.50 on Irrigation, 42 on Hydro-Electric, 41 on Capital Works, 27 on Loans and Advances, 6 on Commutation of Pensions and smaller amounts on Forests and Industries. This leaves a deficit on the capital account of 27 lakhs which we are financing as already mentioned from the revenue surplus. The minus items in the capital expenditure will be found to correspond precisely with items shown as expenditure under the Extraordinary Head. Put very briefly the system is to make use of the Extraordinary Head

to relieve the Capital Head. The Extraordinary Head takes over expenditure which in a Province less fortunately endowed with Crown lands would figure as Capital Expenditure, would be financed by borrowing, and would therefore be chargeable with a permanent burden in the shape of interest.

I turn next to the Capital Account. We borrowed in the current year 73 lakhs in the open market at 5¾ per cent. for 12 years, instead of the 180 lakhs which we had expected to require for irrigation, partly because the progress of the Sutlej Valley Project was somewhat less rapid than had been anticipated, but mainly because 94 lakhs out of the 1.67 required were provided from the Extraordinary Head. We did not borrow 35 lakhs as anticipated for Hydro-Electric purposes, because commencement of the work was deferred, and the small sum of 3 lakhs required was again found from the Extraordinary Head. The net result of Loans and Advances (which represent mainly transactions with local bodies) was three-quarters of a lakh less than anticipated in receipts and eight lakhs less in expenditure, and 4 out of the 20 lakhs spent were provided from the Extraordinary Head. The capital expenditure in 19.5-26, over and above the 151 charged to the extraordinary account, is now estimated at 88 lakhs instea of the 301 shown in the budget of the year.

The budget estimate of capital receipts and expenditure for 1926-27 has a new feature, because it exhibits the Province in the rôle of a lender (though only a temporary lender) instead of in the rôle of a borrower to which the experiences of late years have accustomed us. During the early months of the financial year there are no considerable incomings, and the whole of our balance is required to finance current requirements. In the second half of the financial year the position is reversed, and it has been calculated that a sum of one crore can in this period be lent at interest to the Government of India for eight months. The rate of interest allowed by the Government of India on such temporary loans from Provincial balances is 3½ per cent. At this rate, we propose to lend to the fund known as the Provincial Loans Fund, from which those Provinces who have occasion to borrow money draw their supplies. If in this transaction, Sir, I figure in that part of the "Bania," which some members of this Council have been good enough to assign to me, it will at least be admitted that the rate at which I consent to lend is a pitiably generous one. (Laughter). I have been told that in the early days, when law and order were less firmly established in the Province than they are at present, the Bania had to be on very cautious terms with his debtor, and generally waited till the latter had been made happy and careless by a good harvest, before presenting himself with his little bill. That is the sort of position with which a Provincial Finance Minister must be content when lending to so powerful a person as the Government of India. He has to take what he can get and be thankful for it.

This transaction appears in our figures on both sides of the capital budget, the money being lent on July 1st, 1926, and repaid on March 1st, 1927. The only other figure on the receipt side of the capital account is 17 lakhs for loans and advances, mainly to local bodies; and the Council will note with satisfaction that we propose to borrow nothing from any source in 1926-27 because our extraordinary account supplemented, as already mentioned, by 27 lakhs from ordinary revenue, finances all requirements. The capital expenditure will consist of a crore and a half for Irrigation, 42 lakhs for the Mandi Hydro-Electric scheme, 41 for Civil Works, 45 for Loans and Advances, 6 lakhs

[Hon'ble Sir John Maynard.]

for the Commuted value of Pensions, formerly charged to revenue and smaller sums aggregating 4 lakhs for Forests and Industries. Behind these figures lies much that is of vital interest to the Province, the further advance towards completion of the British portion of the great Sutlej Valley Project destined to fill the blank space in the irrigation map between the old bed of the Beas and the Sutlej, and the beginning of the provision of Hydro-Electric power to a large section of the Province. The item of Loans and Advances, transferred, includes 15½ lakhs, which it is proposed by Government to invest in the debentures of the Punjab Portland Cement Co., in order to secure a steady supply of cheaper cement for the Public Works of the Province and to give practical support to a promising indigenous industry which is already supplying cement of quality equal to that imported from abroad.

It remains to explain the manner in which our two insurance funds are shown in the accounts. Under head 43 of expenditure Famine Relief and Insurance we show 3·81 lakhs of expenditure, representing the amount which, if not spent, is annually placed at the credit of the Famine Insurance Fund, in accordance with the Devolution Rules. After the figures of Capital Receipts, Hon'ble Members will find the opening balance and the receipts of this Fund. The receipts for the Budget year are shown at Rs. 2,81, not at 3,81, because we assume the possibility of some expenditure, as for instance upon a concession for the cheap carriage of fodder in the event of fodder scarcity, and we desire to have some appropriation for that purpose. The closing balance of the fund is shown on the opposite side of the account. A precisely similar method has been adopted for showing our new insurance fund for providing against the losses of the periodically recurrent bad years. Under head 21 of expenditure "Reduction or Avoidance of Debt" we show, in addition to payments due to the Government of India, or devoted to the sinking fund of our public debt, a sum of 20 lakhs on account of this insurance. On the receipt side, after the Famine Insurance Fund, we show the opening balance and receipts of this new Insurance Fund; and on the expenditure side its closing balance. Whether that closing balance will actually exist in full or no at the close of the Budget year, will depend upon decisions not yet taken. The money is of course intended either for the extinction of old, or for the avoidance of new debt, according as either course may be the more profitable to the provincial finances.

So far I have given to the House the result of our separate calculations for revenue ordinary and extraordinary, capital, and famine insurance and sinking funds. They exhibit a satisfactory balance in two successive years of ordinary revenue over expenditure charged to revenue despite our refusal to treat the Stamp windfall as ordinary revenue and despite the decision to provide an insurance against the periodical recurrence of bad years: an addition to debt in the two years taken together of only 73 lakhs, representing the proceeds of our recent issue of Punjab Bonds, 1937, and a large capital expenditure to be financed from this source and from the extraordinary head, with the addition of only 27 lakhs in 1926-27, from our ordinary revenue balance. If the Punjab loan of 1925 had brought us a crore, as we expected, instead of only 73 lakhs, it would have been unnecessary to draw anything for the purposes of capital expenditure from the ordinary revenue head in 1926-27. The expenditure of revenue balances on capital charges, that is to say, in avoidance of debt, is, however, perfectly sound finance and I justify on general principles the decision to meet the capital deficit in this manner instead of asking the Government of India for an advance of 27 lakhs in 1926-27.

For our own purposes, and for excellent reasons which have now become familiar by frequent repetition in this Council, we keep our extraordinary account separate from the ordinary, and capital separate from both. But our outside critics, and the Government of India, look not at the separate classes of our account but at the financial position as a whole. Whether they are right in doing so, we may well feel doubtful, for if the Province were actually engaged in expending its non-recurring receipts on recurring objects there would evidently be trouble ahead for someone at some stage, however long it might be deferred, and everyone who had relied upon the stability of the Provincial finances would have to suffer, in one form or another. The fact however remains that those outside this Council look mainly to the receipts and disbursements as a whole; and we ourselves, having paid due attention to the position in each separate class of the accounts, may now with advantage turn to the figures of gross receipts and disbursements. Our receipts in the current year were budgetted at 1,385 lakhs, but, in consequence of diminished borrowing partially countervailing increased receipts from revenue ordinary and extraordinary, fall to 1312 in the revised. The unexpectedly favourable figures with which the year 1924-25 closed, on the other hand, gave us an opening balance of 141 instead of 8 lakhs, making a total of 1453 instead of 1393. On the disbursement side, the budgetted figure of 1382 falls to 1252 lakhs in the revised, and the opening balance for the coming year thus becomes approximately 2 crores. We budget for receipts of 1449 and for disbursements of 1550 (figures which are swelled by a crore on each side by the proposed temporary loan to the Provincial Loan Account, of which I have already spoken to the Council), and our closing balance at the end of the coming year is estimated at a crore; a sum which is by no means excessive as a working balance during the early months of the financial year when little revenue is coming into the Provincial exchequer, and will be reduced to a lower figure if the Council accepts those proposals for further expenditure during the coming year which I have already foreshadowed.

Last year, Sir, I pronounced what I regarded as my own funeral oration, [(Laughter). *Dr. Gokal Chand Narang: You will never die*] uttered my thanks and eulogies to friends and colleagues, bowed my farewells as the maker of budgets, and committed the future into the hands of certain young actors who were that day to figure in the provincial baby-show as the representatives of the coming generation. It is my good fortune that I am privileged to handle yet another Punjab budget; but when one has once been wrought up to say goodbye there is an ineptitude and a staleness about a repetition of last words. I make no fresh farewells therefore. But one thing I shall repeat, and that is my acknowledgment of the debt of gratitude which the Province, and I in particular, owe to Mr. Irving (cheers) and our helpers of all ranks in the Financial Department. During the four years of Mr. Irving's tenure of the office of Finance Secretary, we have seen what an intellect of fine temper can achieve in the dissection of figures and the adjustment of complicated business (Hear, hear). His eye has penetrated below the dust of his subject and seen how the disordered pieces of a chaotic puzzle can be ranged into an object lesson and made to yield up their inner significance. I alone know how much is due to him in the handling of daily business, to his unsparing analysis of hollow pleas and his large appreciation of the true interest of the administration (Hear, hear). It is hard to utter higher p raise of a devoted worker than to call him the "enemy of routine,"

[Hon'ble Sir John Maynard.]

and that is the phrase in which I sum up Mr. Irving's claims to our gratitude. He is one whose chariot wheels are never in a rut (cheers).

Some years ago when, viewed through the green spectacles of finance, all the immediate prospect seemed gloom, I pointed to the great asset which the Province possesses in her yet unalienated Crown lands and those perennial waters from which she takes her name, and I drew a picture of a possible future in which the power supplied by her rivers would set her waste spaces humming with industry where they did not blossom with harvest. With the rapid filling of yet another blank in the Irrigation map between the Sutlej and the old Beas, and the commencement of the Mandi Hydro-Electric scheme, this picture approaches two stages nearer to realisation. The Crown lands, wisely husbanded, not frittered away in doles to individuals to the injury of the community as a whole, will supply a very large proportion of the capital which is needed for the development of material resources. Public confidence in the stability of our revenues will find the rest. Let every member of this House, and of the thinking public outside it, remember that to sacrifice the dues of the State, which is the embodiment of the people, is to rob the whole for the advantage of a part. Western nations have discovered too late what was sacrificed to the selfishness of individual appropriators when the land and its nation-created increment of value was given up to them. We in the Punjab have ceased to part with our lands except for value received in cash or in peasant enterprise for their cultivation; and we have still kept a part, though not the whole, of that invaluable right to share with the owner in the produce of the soil which reformers elsewhere vainly seek to recapture. Through you, Sir, to this House I leave this parting message, that the man who seeks to persuade us to abandon or abate so rich a public heritage, to give away lands or to reduce or weaken the right to land revenue upon them, is sowing a harvest of regrets. The growth of every nation teaches us to expect that the standards of administration and expense, hitherto accepted as sufficient and appropriate, will be left far behind, as the means of larger developments in all that makes a fuller national life come more freely to our hands. The proposals of 1926-27 with their increased provision for the country's needs are but an earnest of what the future has to bring. The springs which feed our public channels must not be diverted to private profit.

I present to the House the budget for 1926-27 (cheers).

GOVERNMENT'S DEMANDS FOR SUPPLEMENTARY GRANTS, 1925-26.

SCIENTIFIC DEPARTMENTS GRANT.

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

"That a supplementary sum not exceeding Rs. 367 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Scientific Departments."

The motion was carried.

REFUNDS (RESERVED) GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 1,09,200 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Refunds (Reserved)."

The motion was carried.

REFUNDS (TRANSFERRED) GRANT.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Education) : Sir, I beg to move—

"That a supplementary sum not exceeding Rs. 69,800 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1926 in respect of Refunds (Transferred)."

The motion was carried.

THE PUNJAB LAND REVENUE (AMENDMENT) BILL.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to move—

"That the Punjab Land Revenue (Amendment) Bill be referred to a Select Committee consisting of the following :—

The Honourable Sir John Maynard,
The Honourable Sardar Jogendra Singh,
Mr. C. M. King,
Diwan Bahadur Raja Narendra Nath,
Lieutenant Sardar Sikandar Hayat Khan,
Rai Bahadur Lala Dhanpat Rai,
Sayad Muhammad Husain,
Malik Firoz Khan Noon,
Lala Mohan Lal,
Shaikh Faiz Muhammad,
Khan Bahadur Shaikh Abdul Qadir,
Sardar Jodh Singh,
Khan Bahadur Chaudhri Fazl Ali,
Chaudhri Dalli Chand,
Khan Bahadur Sir Sayad Mehdi Shah,
President's nominee,
Legal Remembrancer, and
The Mover."

[Hon'ble Mian Sir Fazl-i- Husain.]

3 P.M.

It will perhaps be necessary for me, Sir, to state what is the genesis of this Bill. It was, Sir, in paragraph 11 of the Report from the Joint Select Committee on the Government of India Bill that opinion was recorded that the time had come to embody in the law the main principles by which the Land Revenue is determined, the methods of valuation, the pitch of assessment, the periods of revision, the graduation of enhancement and any other processes which touched the well-being of the revenue payer. This record was far too valuable to be overlooked by our Council, and early in its career the first Reformed Council moved in the matter and it was at the request of the Legislative Council that Government appointed a Committee to go into the whole matter and to report to it. That Committee, Sir, worked hard and worked well. They submitted their report to Government. The Government deliberated on that report and eventually a Bill was drafted. Again members of this Council were consulted and the permission of the Government of India was solicited with a view to the Bill being introduced into this Council. It appears that other provinces were also moving in the matter of introducing and if possible passing a Revenue Act on the lines on which we have drafted ours and the Government of India took sometime over giving us the necessary assent before the Bill could be introduced. During the years 1924 and 1925 honourable members of this Council became restive and were entertaining suspicions that perhaps the Punjab Government did not intend to introduce the Bill. In answer to a question put by the honourable members Government made it clear that their suspicions were ill-founded and that the Bill was ready and as soon as the assent was received it would be introduced. In the last session, Sir, I introduced the Bill. I did not then make the motion which I now make, because the Bill had not been in the hands of the members for sometime and it was not published in the gazette. Now a month and a half has passed and I think it is time that the motion that is now before the House be considered.

What is the object of this legislation, one might very naturally enquire? Sir, the main object of this legislation is to codify the existing practice in the matter of land revenue assessment, reassessment and other processes which go by the name of land settlement. In codifying the existing practice advantage has been taken to place the rule-making power of Government more or less in direct touch with the legislature, that is to say, Government will not be able to change the rules under this Bill without affording an opportunity to the legislature of expressing its opinion on them. The changes involved, therefore, fall, Sir, under three main heads. The first one is that the basis of assessment which up till now was more or less vaguely half the nett assets has been abandoned and in its place 33⅓ per cent. substituted. That is a change I take it, which is distinctly for the better. I do not mean to assert that by this change the Government is giving up something which it already possessed, because as a matter of fact in the past this 50 per cent. of the nett assets limit was never reached, and on enquiry it was found that recently it was seldom that the limit of 33⅓ was exceeded. The Government therefore saw no reason why the real maximum limit instead of the theoretical maximum be not put in this Bill.

The second change consists in the period of assessment. This is a point over which a great deal of controversy has raged in India, and views ranging from permanent settlement to making assessment from year to year might well be entertained on this point. The period of settlement in the Punjab has been between 20 and 30 years, nearer 30

years than 20. In the Bill a distinct change, again I claim for the better, has been made, namely, that ordinarily the period of settlement will be 40 years and not 30 years, subject of course to the usual reservation as to new irrigation.

The third change consists in what is called the proportion of enhancement at the time of re-assessment. Under the existing practice there is no limit to it. It is unlimited, while of course in practice there is some sort of limit. On the report of the committee, it is provided in the Bill that this should not exceed 33⅓ per cent. on the past assessment. That again, Sir, I claim is a point which one might reasonably contend is a change for the better.

Sayad Muhammad Husain: Is it on the individual holdings ?

The Honourable Mian Sir Fazl-i-Husain: Upon the district which is under assessment. Thus it will appear, Sir, that the changes are such as to reduce the vagueness of the existing practice and crystalise it into law. It will be noticed that the change from 50 per cent. to 33⅓ per cent. of the nett assets is distinctly a change which though it leaves discretion to the settlement officer, will reduce the scope of that discretion in favour of the landholder. Similarly, the limitation of 33⅓ per cent. in the case of re-assessment though it leaves discretion to the settlement officer, does not leave him that unbounded discretion within which he could move under the existing rules and practice if he so desires. The alteration from 30 years to 40 years again is one which gives greater security to the landholder than the present practice or rule. Fourthly, the rule-making power which vested in the Financial Commissioner now rests with the Local Government and provisions have been made in the Bill saying that the local legislature will have a say in the matter. These, Sir, in general are the important provisions of the Bill. The other clauses are, some of consequential nature and others not of very great importance.

It will have been noticed by the honourable members that rather a large select committee has been suggested by me, as many as eighteen.

Mian Abdul Aziz: Not of all shades of views.

The Honourable Mian Sir Fazl-i-Husain: In my humble way I have tried to put in all possible shades of views that I can think of. If I have failed it is not from want of a desire to have the various shades of opinions which exist in the House represented in the committee, but I would be glad to put matters right if my attention is drawn to anything which is lacking in the personnel of the committee at present. This committee, as I have already said, is a fairly large one, fully representative of the rural interests and yet it has on it distinguished representatives of the urban interests as well, because, after all, Sir, the revenues of the State are the concern not only of one section of the House or of one section of the people, but of all put together. It would be a great advantage, Sir, to us if the honourable members of the select committee and for the matter of that any honourable member of the Council who has suggestions to improve the Bill were to communicate those suggestions to the Secretary of the Select Committee, so that every possible suggestion may be carefully considered by the select committee. I may further say, Sir, that it is not my intention to hold the meetings of the select committee in the near future. If it would be convenient to the honourable members of this House, perhaps a difficult matter like this would be better discussed in the salubrious climate of Simla

[Hon'ble Mian Sir Fazl-i-Husain.]

rather than in the sultry climate of Lahore which we are going to experience in the near future. If the members so desire, I suppose it would be possible to have the report ready by next June or July, but then, there would be another session held before the end of this Council and so there will be plenty of time for the report of the select committee to come before this Council. With these few observations I commend this motion to the consideration of the Council.

Mr. President: The question is:

"That the Punjab Land Revenue (Amendment) Bill be referred to a Select Committee consisting of the following:—

The Honourable Sir John Maynard,
The Honourable Sardar Jogendra Singh,
Mr. C. M. King,
Diwan Bahadur Raja Narendra Nath,
Lieutenant Sardar Sikandar Hayat Khan,
Rai Bahadur Lala Dhanpat Rai,
Sayad Muhammad Husain,
Malik Firoz Khan Noon,
Lala Mohan Lal,
Shaikh Faiz Muhammad,
Khan Bahadur Shaikh Abdul Qadir,
Sardar Jodh Singh,
Khan Bahadur Chaudhri Fazl Ali,
Chaudhri Duli Chand,
Khan Bahadur Sir Sayad Mehdi Shah,
The President's Nominee,
The Legal Remembrancer, and
The Mover."

Diwan Bahadur Raja Narendra Nath (Punjab Land-holders General): Sir, I wish to say a few words with regard to the personnel of the Select Committee. All the interests are not properly represented on the Committee. I refer to owners of barani lands to whose areas it is impossible to extend the benefits of irrigation, the owners of lands in hill tracts and owners of lands within municipal areas who have got certain peculiar advantages of their own. The owners of lands within municipal areas are near the cities, they are near the markets and they can get a good price for their produce. They have got many facilities for the use of manure. All these advantages they possess which the previous assessing officers had very often overestimated. I therefore propose the addition to the Select Committee of the names of Chaudhri Ram Singh and Mian Abdul Aziz. My honourable friend Chaudhri Ram Singh comes from Kangra District where there is plenty of rainfall, but where there is no prospect whatever of extending irrigation. The hill tracts are tracts which have difficulties of their own. My honourable friend Mian Abdul Aziz owns large area of land within the municipal limits of Lahore and he knows how the assessing officer estimates the advantages of such lands. I think that these two honourable members representing two most important interests should be placed on the Select Committee. I therefore formally move—

"That the names of Chaudhri Ram Singh and Mian Abdul Aziz be added to the list of members of the Select Committee."

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, I congratulate the Honourable the Revenue Member on his good luck that his taking over charge of this important office has synchronised with the introduction of this long deferred Bill. It is a great pity that at this time when the Magna Charta of the zamindars of this province is coming up before this Council, the zamindar benches in this House are practically empty. I am not very glad and quite satisfied on reading this Bill. In fact, we wanted bread, the Government of India has given us stone (Hear, hear) in the shape of this Land Revenue Bill that is now before us. I believe that there are certain clauses in the Bill which are intended for the good of the zamindars, for instance, the clause where one-half of the "nett assets" is reduced to one-third of the "nett assets". But as the Honourable the Revenue Member has himself stated, the Punjab Government has never up till now reached that limit. They have always been below that limit, and so, to say that instead of one-half of the nett assets, we have now given one-third of the nett assets is indeed a very small favour to the zamindars of the province. But there again, I have my own misgivings about the utility of provisions like these in the Bill. We know from practical experience that benefits which are sought to be conferred by an act of the legislature are very often nullified by executive acts. For instance, the question of fixing abiana once for all has not been incorporated. Because there is no definite provision in any act of the legislature, the executive Government is able to enhance the abiana just as it pleases. I know that in the tahsils of Dipalpur and Pakpattan, the Settlement Officer, Muhammad Hayat Khan, enhanced the land revenue in the teeth of popular opposition. Several honourable members, including my honourable friend Diwan Bahadur Raja Narendra Nath, know perfectly well the miserable condition of these two tahsils. These tahsils have been served up till now by inundation canals. Water never comes to these tahsils at the time when it is most needed. They get water when the whole crop has failed. It was at a time when the crops in these tahsils were in such a precarious condition that the assessment was enhanced, and it was declared that the assessment was for thirty years. The people were made to believe at the time when the original assessment was levied that no further enhancement would be levied. They were told to wait patiently and pay the enhanced rate, for they would get protected irrigation soon which would increase their yield, and which would improve their economic condition. When I read the report of the Government regarding the sale of Nili Bar lands, I was quite upset to read the clause wherein was stated that the people were very lightly assessed, and that because the Government were unable to upset a settlement according to law, they would have recourse to the enhancement of abiana on those lands to the extent to which land revenue was less than that on other Crown lands. What does this all amount to? It means that there is no security of tenure at all. If there are certain tracts of land which are fortunate and which are treated according to the basis of 33⅓ per cent. of the nett assets, the Government is not at all justified in saying that they will enhance the abiana in those tracts by an executive order and thus increase their land revenue. My apprehension is that even under the present Land Revenue Bill, the Government may come forward and nullify all the good that is intended by this Bill by issuing executive orders to increase the land revenue in some way or other in those tracts of land where the assessment is considered to be light. I make this observation in order to impress upon this House the utter futility of having a Bill which does not curtail the powers of the Government to issue

[Sayad Muhammad Hussain.]

executive orders nullifying the little good that it might have conceded to popular demands. I therefore submit that some provision should be incorporated in this Bill whereby the executive will be prohibited from issuing orders enhancing the abiana in particular tracts of the province simply to evade the provisions of the Bill. Without such wholesome checks on the acts of the executive, what is the use of having a Bill? Supposing, for the sake of argument, a Settlement Officer goes to a district and determines as to the assets of the district. Supposing he bases his conclusions upon the yields of the district which are quite wrong and supposing he comes forward and says: this is the yield of the district according to my estimate and so they should be assessed at one-third of the nett assets. What is the remedy for the public to prove that the calculations of yield made by the Settlement Officer are wrong? Can the people do anything there? So, my submission is that even if the Bill is passed in its present form, the executive Government will be as supreme and it will be as bureaucratic as it had been in the past and the good intentions with which this Bill had been drafted would be frustrated. The intentions of the Joint Committee of the House of Lords and House of Commons will be nullified, unless the representatives of the people in the House have some final say in the matter. In the Statement of Objects and Reasons, it is stated :—

> "In paragraph 11 of the Report from the Joint Select Committee on the Government of India Bill, the opinion was recorded that the time had come to embody in the law the main principle by which the land revenue is determined, the methods of valuation, the pitch of assessment, the periods of revision, the graduation of enhancements, and the other chief processes, which touch the well-being of the revenue payers."

Does the Bill cover all that? No. On the question of assessment of the Kot Adu Tahsil in the Muzaffargarh District, the noble Settlement Officer, Mr. Anderson, stated that according to the 33⅓ per cent. of the nett assets the enhancement cannot be more than 17 per cent. but according to the half net assets it can be more than 17 per cent. . . . . .

Mr. C. M. King: From which report is the honourable member reading?

Sayad Muhammad Husain: I am reading Mr. King's own words in his Review of the Report of the Kot Adu Tahsil. In his review the Honourable the Financial Commissioner observes.—

> "Considering the exceedingly precarious character of the cultivation of this tract, the indigence of the people, their dependence upon money-lenders, their ungrateful climate and their remoteness from civilised markets, this increase would have been excessive. On the other hand the one-third net assets standard as calculated by the Settlement Officer brings out an increase in assessment of slightly less than 17 per cent. on the whole, which is almost certainly not enough if we consider the increase in cultivation and the increase in prices. The proper assessment would seem to be somewhere between these two proposals of the Settlement Officer."

I do not say whether the Settlement Officer was right or the Financial Commissioner. But what I say is this, what is the check by the country? Here is a report which says that there should be an enhancement of 17 per cent. The Financial Commissioner says, No, it must be more than that. What is the remedy? What is the check? Have the members of the House any say in the matter? It is to guard against that that Sir Habib Ullah when he was the Revenue Member of the Madras Government, inserted a sub-clause in the Madras Land Revenue Bill in the Madras Legislative Council. This was the clause inserted in the Bill:

> "The Local Government after considering the recommendations of the Collector and the Board of Revenue and such public criticism as may be made on the scheme framed by the Settlement Officer shall lay its proposals thereon before the Legislative Council. It shall be competent to the Legislative Council by its resolution to reject, adopt or modify the proposal of the Local Government in such manner as it may think fit. The Local Government shall pass final orders on the scheme in accordance with such resolutions of the Legislative Council."

It was this clause that was inserted in the Madras Revenue Bill, but the Government of India rejected it because they thought it to be a revolutionary clause. After all this is a matter of taxation and the public must have a voice in matters of taxation. Poor illiterate zamindars do not talk much. This is their Magna Charta. . . . .

Pandit Nanak Chand: That is why they are absent.

Chaudhri Afzal Haq: They are absent as a protest against this Bill.

Sayad Muhammad Husain: There are other interests. There are the non-zamindars. I do not say that they should be lightly taxed, but I do say that justice should be done to all. Whatever are the clauses and sub-clauses of the Bill, we will have to see that taxation has been based in accordance with them. I will give one more example. The Commissioner of the Multan Division says in the Review:—

> "The climate of the tract is very unhealthy owing to malaria and, recently, relapsing fever. The major portion of the tahsil is liable to floods from the Indus. Cattle are weak and people are poor. Most of the proprietors are in the clutches of money-lenders. If there is any district which deserves a reduction in the Government's demand, it is Muzaffargarh."

I have previously read out to you the recommendations of the Settlement Officer, and this is the review by the Commissioner of the Multan Division. The Honourable Revenue Member is ready to give even 50 lakhs. The land revenue was still enhanced even more than that. . . . .

Pandit Nanak Chand: May I ask, Sir, which principle of the Bill my friend is attacking?

Sayad Muhammad Husain: I am only saying that the Council has not the final say in the matter of enhancement of land revenue. What I want is that we should have the final say . . . .

Sardar Jodh Singh: Sir, this is a principle which is not in the Bill itself. My friend would be quite in order to move an amendment when the Bill is being considered in the House. He need not discuss the matter at this stage, because it would be mere waste of time to discuss a principle which is not incorporated in the Bill.

Sayad Muhammad Husain: I am only going to throw some light on the Bill.

Mr. President: The principles of the Bill which is now before the House may be discussed. I hope the honourable members will not wander away from those principles.

Dr. Gokul Chand Narang: Can the absence of a principle be discussed?

Mr. President: That would depend upon the member who discusses it. A clever and learned advocate can certainly do so as he might make the irrelevant, relevant to the question.

Sayad Muhammad Husain: These are the members of the Select Committee who are going to consider the Bill. I thank the Revenue Member very much for that . . . .

Pandit Nanak Chand: Is it a reflection on the members of the Select Committee?

Sayad Muhammad Husain: I was going to make these observations for the benefit of the Select Committee which has got very few zamindar members represented on it . . . .

Mr. President: All matters which the honourable member wants to state for the benefit of the Select Committee may be placed before that body.

Sayad Muhammad Husain: In the circumstances, unless we make drastic changes in the Bill, it will be no good, and if after the desired changes have been made the fate of the Bill is going to be that of the Borstal Jail Bill, I would ask the Revenue Member to drop the Bill at this stage . . . . . .

Dr. Gokul Chand Narang: Take an undertaking (laughter).

Sayad Muhammad Husain: Some amendments are absolutely necessary in the Bill, and if after they have been made the Revenue Member turns round and says: "I do not move that the Bill be passed", it is no use our considering the Bill at all. It would be much better to drop the Bill now than to drop it at the last stage after wasting much time of the Council.

I would suggest two more members to act on the Select Committee: Mian Muhammad Shah Nawaz and Rana Firoz ud-Din Khan. I want these genetlemen to act in conjunction with the two members suggested by Raja Narendra Nath.

Mian Muhammad Shah Nawaz: I was asked to be a member of the Select Committee, but as I am going to Kashmir in the hot weather, I will not be able to attend some of the meetings of the Select Committee. I therefore regret my inability to act on the Committee.

Sayad Muhammad Husain: In that case I would suggest the name of Captain Malik Mumtaz Muhammad Khan Tiwana in place of Mian Muhammad Shah Nawaz.

Mr. President: Two amendments have been proposed to the original motion. I will put them individually for the decision of the House. The original motion was—

"That the Punjab Land Revenue (Amendment) Bill be referred to a select committee consisting of the following:—

The Honourable Sir John Maynard,

The Honourable Sardar Jogendra Singh,

Mr. C. M. King,

Diwan Bahadur Raja Narendra Nath,

Lieutenant Sardar Sikandar Hayat Khan,

Rai Bahadur Lala Dhanpat Rai,

Sayad Muhammad Husain,

Malik Firoz Khan, Noon,

Lala Mohan Lal,

Shaikh Faiz Muhammad,

Khan Bahadur Shaikh Abdul Qadir,

Sardar Jodh Singh,

Khan Bahadur Chaudhri Fazl Ali,

Chaudhri Duli Chand,

Khan Bahadur Sir Sayad Mehdi Shah,

President's nominee,

The Legal Remembrancer, and

The Mover."

since which two amendments have been proposed and I shall put the first amendment to the House, namely:

"That the names of Chaudhri Ram Singh and Mian Abdul Aziz be added to the list of members of the Select Committee."

The question is that that amendment be made.

The motion was carried.

Mr. President: The next amendment is—

"That the names of Captain Malik Mumtaz Muhammad Khan, Tiwana, and Rana Firoz-ud-Din Khan be added to the list of members of the Select Committee".

The question is that that amendment be made.

The motion was carried.

Mr. President : The question now before the House is—

"That the Punjab Land Revenue (Amendment) Bill be referred to a Select Committee consisting of the following :—

The Honourable Sir John Maynard,
The Honourable Sardar Jogendra Singh,
Mr. C. M. King,
Diwan Bahadur Raja Narendra Nath,
Lieutenant Sardar Sikandar Hayat Khan,
Rai Bahadur Lala Dhanpat Rai,
Sayad Muhammad Husain,
Malik Firoz Khan Noon,
Lala Mohan Lal,
Shaikh Faiz Muhammad,
Khan Bahadur Shaikh Abdul Qadir,
Sardar Jodh Singh,
Khan Bahadur Chaudhri Fazl Ali,
Chaudhri Duli Chand,
Khan Bahadur Sir Sayad Mehdi Shah,
President's nominee,
The Legal Remembrancer,
Chaudhri Ram Singh,
Mian Abdul Aziz,
Captain Malik Mumtaz Muhammad Khan, Tiwana,
Rana Firoz-ud-Din Khan, and
The Mover,

The motion was carried.

THE PUNJAB LAND PRESERVATION (CHOS) AMENDMENT BILL.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to move—

"That leave be granted to introduce the Punjab Land Preservation (Chos) Amendment Bill."

The motion was carried.

The Honourable Mian Sir Fazl-i-Husain : Sir, I beg to introduce the Punjab Land Preservation (Chos) Amendment Bill.

The Honourable Mian Sir Fazl-i-Husain : Sir, I beg to move—

"That the Punjab Land Preservation (Chos) Amendment Bill be referred to a Select Committee consisting of the following :—

Mr. C. M. King,
Pandit Nanak Chand,
Chaudhri Afzal Haq,
Rana Firoz-ud-Din Khan,
Nominee of the President,
The Legal Remembrancer and
The Mover."

Sir, I need only draw the attention of the Council to this, that Government had been in receipt of certain objections from time to time against the Land Preservation (Chos) Act, II of 1900, based mainly on certain expressions that have occurred in that Act, and it was considered that the ulterior object of the Government was to deprive the proprietors of these chos of their proprietary rights. As a matter of fact Government had no such ulterior motives and therefore it was felt that this Bill should be introduced with a view to remove all those expressions which give certain support to those suspicions. This opportunity has also been taken advantage of to add another provision which is of an enabling nature, that is to say, it enables certain proprietors, if they so desire, to ask the authorities to take over their holdings for purposes of afforestation or some similar purpose.

Originally I intended to have the Bill taken into consideration to-day and have it passed. But some non-official members thought that there was really no hurry about this measure and suggested that it may be referred to a Select Committee. I agreed to do so, and therefore I am making this motion of referring the Bill to a Select Committee.

Mr. President: The question is—

"That the Punjab Land Preservation (Chos) Amendment Bill be referred to a Select Committee consisting of the following :—

Mr. C. M. King,

Pandit Nanak Chand,

Chaudhri Afzal Haq,

Rana Firoz-ud-Din Khan,

Nominee of the President,

The Legal Remembrancer and

The Mover".

Captain Dhan Raj Bhasin [East and West Central Towns (Non-Muhammadan), Urban] : Sir, I beg to move—

"That the name of Diwan Bahadur Raja Narendra Nath be added to the Select Committee".

Mr. President : The original question was

"That the Punjab Land Preservation (Chos) Amendment Bill be referred to a Select Committee consisting of the following :—

Mr. C. M. King,
Pandit Nanak Chand,
Chaudhri Afzal Haq,
Rana Firoz-ud-Din Khan,
Nominee of the President,
The Legal Remembrancer, and
The Mover";

since which an amendment has been moved—

"That the name of Diwan Bahadur Raja Narendra Nath be added to the Select Committee".

The question is that that amendment be made.

The Honourable Mian Sir Fazl-i-Husain : Sir, Captain Dhan Raj Bhasin desires that the name of Diwan Bahadur Raja Narendra Nath be added to the Select Committee. If the Raja Sahib is willing to serve on this committee I will be very glad to have him on the committee.

Diwan Bahadur Raja Narendra Nath : I have given my consent to serve on the committee. It was only after taking my consent that the honourable member moved his amendment.

Mr. President : The original motion was—

"That the Punjab Land Preservation (Chos) Amendment Bill be referred to a Select Committee consisting of the following :—

Mr. C. M. King,
Pandit Nanak Chand,
Chaudhri Afzal Haq,
Rana Firoz-ud-Din Khan,
Nominee of the President,
The Legal Remembrancer, and
The Mover ;

since which an amendment has been moved :—

"That the name of Diwan Bahadur Raja Narendra Nath be added to the list of members of the Select Committee."

The question is that that amendment be made.

The motion was carried.

Rana Firoz-ud-Din Khan [South-east Towns (Muhammadans), Urban], (Urdu) : Sir, as the Honourable Revenue Member stated in his speech, there are fears, well founded or otherwise present in the minds of the people that Government has passed this Act in order to take over the lands of the people. Sir, as the honourable member further stated, there are certain sections in the Act which can bear such an interpretation. But while Government has amended sections 3 and 4 to avoid such interpretation and to remove all misgivings it is a matter of surprise that section 8 has not been amended. Section 3 relates to those *ilaqas* which lie at the foot of what is called the Sivalik Range. But section 8 governs all those vast stretches of land covering thousands of acres which lie in the beds of these chos. No amendment has been proposed to cover these lands. Sir, the amending Bill does not remove even one-tenth of the grievances of the people. This must include similar amendments to sections 8, 9 and 10 in order to achieve its end. Sir, the suspicions of the people have gained strength from the occupation of the lands in the Mailsi Cho. I, therefore, request that similar amendments should be made to those sections as well.

Mr. President : The question is—

"That the Punjab Land Preservation (Chos) Amendment Bill be referred to a Select Committee consisting of the following :—

Mr. C. M. King,
Pandit Nanak Chand,
Chaudhri Afzal Haq,
Rana Firoz-ud-Din Khan,
Diwan Bahadur Raja Narendra Nath,
Nominee of the President,
The Legal Remembrancer, and
The Mover."

The motion was carried.

THE MONTGOMERY DISTRICT BOARD BILL.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Education) : Sir, I beg to move—

"That leave be granted to introduce the Montgomery District Board Bill."

The motion was carried.

The Honourable Rai Sahib Chaudhri Chhotu Ram : Sir, I beg to introduce the Montgomery District Board Bill.

The Honourable Rai Sahib Chaudhri Chhotu Ram : Sir, I beg to move :

"That the Montgomery District Board Bill be taken into consideration."

The motion was carried.

Mr. President : The question is—

"That clause 2 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 3 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That the title and preamble stand part of the Bill."

The motion was carried.

The Honourable Rai Sahib Chaudhri Chhotu Ram : Sir, I beg to move—

"That the Montgomery District Board Bill be passed."

The motion was carried.

ANNOUNCEMENT FROM THE CHAIR.

PANEL OF CHAIRMEN.

Mr. President : I have to announce to the Council that I have appointed the following gentlemen to serve on the Panel of Chairmen for the present session :—

Diwan Bahadur Raja Narendra Nath,

Khan Bahadur Shaikh Abdul Qadir,

Lieutenant Sardar Sikandar Hayat Khan ; and

Sardar Tara Singh.

Mr. President : The only business that is left for tomorrow is Questions ; so I adjourn the Council to Monday, the 1st March. The questions set down for tomorrow will be taken up on that date.

The Council then adjourned till 2 P.M. on Monday, the 1st March 1926.

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9 PLC—298—10-3-26—SGP, Lahore

PUNJAB LEGISLATIVE COUNCIL.

8th Session of the 2nd Punjab Legislative Council.

Monday, the 1st March 1926.

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

OATH OF OFFICE.

The following member was sworn in :—

Lieutenant-Colonel W. C. H. Forster (Official, nominated).

QUESTIONS AND ANSWERS.

REWARI MUNICIPALITY.

2388. Rai Sahib Lala Ganga Ram : (*i*) Is it a fact that the new voters' list prepared for the Rewari municipality has been objected to by the Hindus on the ground that it is not correct? If so, does the Government propose to direct the revision of the list in order to get a correct list?

(*ii*) (*a*) Is it a fact that the number of Hindu seats in Rewari municipality is six at present, while that of Muhammadan seats is only four?

(*b*) If so, does the Government propose to increase the number of Muhammadan seats? If so, why?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*i*) Government have no information.

(*ii*) (*a*) The number of non-Muslim seats is 6 and of Muslim seats 4.

(*b*) The honourable member is referred to the reply given to question No. 2367.*

REWARD FOR CAPTURE OF DACOIT SULAKHAN SINGH.

2397. Diwan Bahadur Raja Narendra Nath : Will Government be pleased to state whether it is a fact that in October 1921, one Sulakhan Singh, a notorious and dangerous dacoit, was captured by a Magistrate and a Police Sub-Inspector at the risk of their lives? If so, in what way does Government propose to reward the services of these officers?

The Honourable Sir John Maynard : Yes, the services of the Magistrate have already been recognised by Government by the bestowal of the title of Khan Sahib upon him in recognition of this and other valuable work. Two Sub-Inspectors who assisted in the capture of the dacoit have also been rewarded. The former was granted a monetary reward of Rs. 500 and was promoted to one of the Selection Grades of Sub-Inspectors. The latter was granted a monetary reward of Rs. 1,000 and was later promoted to the rank of Inspector. He also received the King's Police Medal.

RUNNING OF SPECIAL TRAINS ON FESTIVAL OCCASIONS.

2398. Sardar Buta Singh : (*a*) Is Government aware that pilgrims leaving Nankana Sahib by rail after the Puran Mashi Fair are put into different compounds and locked there on the railway station preparatory to their getting into the train;

(*b*) Is it a fact that sometimes such pilgrims have to pass whole of the day in such compounds and are thus put to great hardship and trouble?

*Vol. VIII-B, page 1672.

[Sardar Buta Singh.]

(c) Is it a fact that on the occasion of last Puran Mashi Fair females were separated from their male companions and put into different compounds;

(d) Is it a fact that in the case of passengers going towards Lahore side females were allowed to board the train, while their male relations and companions were not allowed to do so, thus causing great deal of inconvenience and trouble to the pilgrims?

(e) If the answer to the above questions be in the affirmative, does Government propose to suggest to the railway authorities that the latter should on such occasions run special trains after every two hours and should not huddle together hundreds of pilgrims in the compounds referred to above for several hours?

The Honourable Mian Sir Fazl-i-Husain: (a) No. Government is informed that passengers are not put into these pens or compounds and locked there. Pens are provided so as to separate passengers going in the direction of Lahore from those going in the direction of Multan. There are four pens for each direction. Each pen has two gates—one allowing access to the pen from the Booking Offices, the other on the opposite side of the pen, giving access to the Station Platform. The platform gate is opened only when a train is at the platform ready to receive outgoing passengers and for this purpose remains open from 5 to 10 minutes at a time. The booking office gate is normally open. Passengers may freely enter or leave the pen through this gate which is only closed for the 5 or 10 minutes when that leading on to the Station Platform is open.

(b) No.

Vendors shops, water taps and latrines are provided in the Station Yard to which pilgrims have free access.

(c) Yes, but of their own choice.

As the pilgrims usually hustle and push when the pen gates admitting them on to the platform are opened, it was decided to separate women and children from the men in order to protect the former from injury. Accordingly one pen was set aside for men and women, that is for those families which did not desire to be separated, and another pen was reserved for women and children who were travelling alone, or those women who did not mind being separated from their men folk.

(d) One or two complaints have been received that through the men folk being separated from their families the women had gone on ahead by an earlier train. It is incorrect to imply that men were prevented from taking seats in the same trains as their families.

(e) It is impossible to clear all the pilgrim traffic immediately and even if 2 hourly trains were provided, which is hardly possible, it would not do away with crowding and delay.

VETERINARY HOSPITAL, SHEIKHUPURA.

2399. Sardar Buta Singh: (a) Is it a fact that the Veterinary Assistant in charge of the Veterinary Hospital, Sheikhupura, is carrying on most successfully his experimental treatment of Surra cases?

(b) Is it also a fact that in consequence of this, many animals suffering from this disease are sent to this hospital for treatment and there is not sufficient accommodation in the hospital for their treatment?

(d) If so, does Government propose—

(i) to extend the hospital to meet the local demands; and

(ii) to allot enough money in the next budget for the purposes of building a separate contagious ward for the treatment of animals suffering from Surra disease?

The Honourable Sardar Jogendra Singh: (a) The experimental treatment of natural Surra cases at the Sheikhupura Veterinary Hospital has up to date given very hopeful results.

(b) Yes. The accommodation at the Sheikhupura Hospital is very limited.

(c) (i) and (ii). The hospital buildings are the property of the District Board and it is for the Board to take action. The Board's attention has been drawn to the necessity for further extensions, and suggestions as to what extensions are needed have been made to the Board by the Chief Superintendent, Civil Veterinary Department, Punjab.

J.-V. AND S.-V. STUDENTS OF NORMAL SCHOOLS.

2409. Sardar Tara Singh: Will the Government please state the number of J.-V. and S.-V. students separately who joined the Normal Schools in the Multan and Rawalpindi Divisions during each of the last four years and how many of them were Hindus, Sikhs, Muslims and Christians, respectively?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The required information is given in the statement attached.

Division.	Classes.	Years.	Hindus.	Muhammadans.	Sikhs.	Christians.	Total.
Rawalpindi.	J.-V. ...	1921-22 ...	59	149	16	2	226
	J.-V. ...	1922-23 ...	60	259	42	4	365
	S.-V. ...	1922-23 ...	8	17	8	...	33
	J.-V. ...	1923-24 ...	60	202	21	...	283
	S.-V. ...	1923-24 ...	15	70	5	...	90
	J.-V. ...	1924-25 ...	47	194	19	...	260
	S.-V. ...	1924-25 ...	15	66	6	...	87
Multan.	J.-V. ...	1921-22 ...	127	130	10	2	269
	S.-V. ...	1921-22 ...	15	24	1	...	40
	J.-V. ...	1922-23 ...	121	180	12	...	313
	S.-V. ...	1922-23 ...	54	78	19	4	155
	J.-V. ...	1923-24 ...	137	158	12	1	308
	S.-V. ...	1923-24 ...	27	52	11	...	90
	J.-V. ...	1924-25 ...	77	220	17	2	316
	S.-V. ...	1924-25 ...	26	57	9	1	93

DETENTION OF CERTAIN PRISONERS IN MULTAN CENTRAL JAIL AFTER THEIR RELEASE WAS DUE.

2413. Sardar Jodh Singh: (i) Will the Government please state if the following prisoners lodged in the Multan Central Jail who were convicted in connection with the Bhai Pheru struggle were or are being kept in the jail even after their release was due, though their fines had been realised long ago:—

(a) Bhai Sunder Singh, of Chak No. 75, Sohal (who was fined Rs 200 and whose due date of release was 2nd September 1925);

(b) Bhai Asa Singh, of Chak No. 83, Gill (who was fined Rs. 200 and whose release was due on 25th August);

(c) Bhai Lachhman Singh, of Chak No. 83, Gill (who was fined Rs. 300 and whose release was due on 3rd September);

(d) Bhai Ganga Singh, of Chak No. 83, Gill (who was fined Rs. 200 and whose release was due on 3rd September); and

(e) Bhai Sohan Singh, of Malan Gondian (who was fined Rs. 300 and whose release was due on 4th September 1925)?

(ii) If the reply to the above be in the affirmative, what action has the Government taken or contemplates taking against the officers responsible for the same?

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

HORSE-BREEDING IN THE LOWER JHELUM CANAL COLONY.

2420. Sardar Jodh Singh: (a) Will the Government please state under what circumstances in the case of temporary resumption of lands granted to the horse-breeding tenants in the Lower Jhelum Canal Colony the lease money paid by the new lessees is paid to the original grantee and under what other circumstances it is paid to the Government? Are there any rules that govern the decisions in such cases? If so, will the Government be pleased to lay a copy of the rules on the table?

(b) What percentage of colts and fillies bred every year in the said colony is found fit and bought by the Remount Depôt and what is their average cost?

(c) What is the average yearly expense of upkeep per head of the colts and fillies thus brought up to the time when they are handed over to the Army for use?

(d) Does Government know the average yearly expense of the Remount Department engaged in the supervision and upkeep of the colts and fillies in that particular colony? If so, will Government state it?

The Honourable Mian Sir Fazl-i-Husain: (a) When a horse-breeding tenancy is temporarily resumed owing to the tenants' failure to fullfil the conditions, the lease money obtained from new lessees is not paid to the original tenant, but is always credited to Government. When however inability to carry out the horse-breeding conditions is due to the minori-

ty of the tenant the lease money is paid into an account with the Central Co-operative Bank, Sargodha, to accumulate for the benefit of the minor. There are no rules on the subject, but the action is taken under section 24 of Act V of 1912.

(*b*) and (*c*) This Government has no information.

(*d*) No.

PRISONERS IN THE CENTRAL JAIL, LAHORE.

2422. Diwan Bahadur Raja Narendra Nath : Will Government be pleased to state the maximum number of prisoners which the Central Jail of Lahore according to Sanitary requirements of space is intended to accommodate and the number of prisoners actually accommodated therein at the present time ?

The Honourable Sir John Maynard : Accommodation is provided in the Lahore Central Jail for 1,428 prisoners. The number of prisoners at present confined there is 2,759. Of this latter number 500 are being sent to the Lahore Borstal Institution and the remainder in excess of 1,428 are accommodated in tents.

REPORT ON THE FINANCIAL POSITION OF THE LUDHIANA DISTRICT BOARD.

2426. Chaudhri Duli Chand : (*a*) Is it a fact that about three years ago the Ludhiana district board adopted a resolution that a sub-committee be formed to examine the accounts and the financial position of the said board ?

(*b*) Is it a fact that this sub-committee consisting of Rai Wali Muhammad, Sardar Raghbir Singh and others worked for weeks together and prepared a report of about 140 pages on the subject ?

(*c*) Is it a fact that the said report was submitted under a registered cover to the President of the district board ?

(*d*) If so, will Government kindly lay that report on the table ?

(*e*) Was any action taken on that report ? If so, what ? If not, why ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*a*) Yes.

(*b*) The sub-committee is said to have worked for some time but there is no record of his having submitted any report.

(*c*) No.

(*d*) and (*e*) do not arise.

Chaudhri Duli Chand : Was that report written at all ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : I have no information on this point.

PROSECUTIONS AGAINST RELIGIOUS PREACHERS.

2428. Chaudhri Ram Singh : Will the Government be pleased to state —

(*a*) the number of Arya Smajist, Musalman and Christian preachers, respectively, against whom the Government launched prosecutions for promoting hatred between communities during the period extending from January 1921 to November 1925 ;

[Chaudhri Ram Singh.]

(b) the number of preachers convicted and the nature of punishment awarded to each ;

(c) the number of preachers acquitted or discharged ;

(d) the number of preachers against whom the prosecutions were withdrawn ; and

(e) the number of preachers who were warned ?

The Honourable Sir John Maynard : (a) 25.

(b) 12. Out of whom 8 were awarded rigorous imprisonment, 3 were placed on security for good behaviour and one was fined.

(c) 2.

(d) 10.

(e) 2.

The case against one accused is pending in court.

GRANT OF LANDS IN THE NILI BAR TO THE LOCALS OF THE SHEIKHUPURA DISTRICT.

2429. Sayad Muhammad Husain : (a) Is it a fact that the tract of country north of the River Ravi around Syedwala now embracing the district of Sheikhupura constituted a part of the Montgomery district just before the opening of the Lower Bari Doab Canal ?

(b) Is it also a fact that the locals of this part of the province did not get land in local grants either in the Lyallpur or in the Montgomery district ?

(c) If the answers to parts (a) and (b) are in the affirmative, does the Government propose to consider their claims when distributing land in the Nili Bar ?

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

(b) A few families belonging to this tract got sufedposhi grants and a few others abadkari grants in the Lyallpur district but none in the Montgomery district.

(c) Does not arise.

GRANT OF LAND TO THE JUNGLIS OF THE LOWER BARI DOAB CANAL.

2430. Sayad Muhammad Husain : (a) Is it a fact that a sufficient number of the deprived *junglis* of the Lower Bari Doab Canal and riverain tract included in the list prepared by Messrs. Joseph and Puckle could not be accommodated on account of shortage of land and the influx of military grantees ?

(b) Is it also a fact that Mr. Wace, the Deputy Commissioner of Montgomery, after distributing land in 1924, to *junglis* wrote a letter asking the Government for a further grant of land not for new locals but for old *junglis* included in the list prepared by Messrs. Joseph and Puckle ?

(c) If the answers to parts (a) and (b) are in the affirmative, does th Government propose to consider the claims of these deprived locals for the grant of lands ?

The Honourable Mian Sir Fazl-i-Husain : (*a*) Yes.

(*b*) The proposal referred to was not submitted to Government.

(*c*) The matter is under consideration.

EXTENSION OF IRRIGATION IN THE MONTGOMERY DISTRICT.

2432. Sayad Muhammad Husain : (*a*) Is it a fact that there is a proposal to extend the perennial irrigation to "J" plot in the Montgomery district in the near future ?

(*b*) Is it a fact that there are locals living from times immemorial in this tract ?

(*c*) If the answers to parts (*a*) and (*b*) are in the affirmative, does the Government propose to prepare a list of these locals as has been done in other portions of the Bar ?

The Honourable Mian Sir Fazl-i-Husain : (*a*) Yes.

(*b*) Yes.

(*c*) The matter is under consideration.

COMPLAINT AGAINST SHAMS DIN, HEAD CONSTABLE, SADR POLICE STATION, AMRITSAR.

2436. Sardar Dhira Singh : (*a*) Will the Government be pleased to state whether Shams Din, head constable, sadr police station, Amritsar, went over to Verka on the 26th August 1925 and ordered the sweepers to be taken as Begaris to work at night as watchmen ?

(*b*) Is it a fact that the sweepers refused to comply with the orders issued and for this infringement they were severely taken to task ?

(*c*) Is it a fact that the sweepers left their houses in terror and to teach them a lesson for this disobedience, pickets were posted round their mohallas with clear directions that the cattle of the sweepers should not be let off and the females should not be allowed to cook food ?

(*d*) Is it a fact that on the 27th August 1925 the said head constable on his arrival in the mohalla found the sweepers absent and took ten females including young girls and old women into custody ?

(*e*) Is it a fact that these females were kept under custody from 6 A.M. to 4 P.M. molested and beaten by the police, and that one of these females fell senseless, and that they were kept hungry for the time they remained under arrest ?

(*f*) Will Government be pleased to state whether any complaint was received by the authorities against the said head constable in the beginning of September 1925 ? If the answer is in the affirmative, will the Government be pleased to state what action was taken thereon ?

The Honourable Sir John Maynard : (*a*) There is no Head Constable of this name in the Amritsar district

(*b*) to (*e*) No.

(*f*) On the 26th August Head Constable Muhammad Ashraf of the Sadr Police Station visited village Verka to investigate a complaint under section 363, Indian Penal Code. He was there informed by Labhu, Daffedar of Chaukidars, Datar Singh, Zaildar, and two Lambardars that the sweepers of the village had refused to supply men for *thikri pahra* and had assaulted

[Hon'ble Sir John Maynard.]

the Daffedar the previous day. On the 28th August Labhu lodged a complaint under section 323, Indian Penal Code, against four sweepers. A day later the sweepers lodged a complaint against Datar Singh, Zaildar and Head Constable Muhammad Ashraf under section 323/448, Indian Penal Code which was tried in court and dismissed.

WATERWORKS AND DRAINAGE AT MUKTSAR, DISTRICT FEROZEPORE.

2437. Lala Mohan Lal, Bhatnagar: (a) Is it a fact that the waterworks at Muktsar is being run by the Sanitary Department of Government for the last seven months, but no house connection has been allowed as yet notwithstanding the repeated requests of citizens?

(b) Is it also a fact that there is no drainage arrangement to clear out the water falling from public standposts, and that the said water accumulates in streets to the great inconvenience of the public causing malaria and insanitary atmosphere?

(c) Is it also a fact that during the last seven months the municipality has incurred an expenditure of nearly Rs. 10,000 on waterworks without getting any return from the said waterworks?

If the answers to (a), (b) and (c) are in the affirmative, will the Government be pleased to state the reasons for the same and the action proposed to be taken against those who are responsible?

(d) What steps does the Government propose to take to expedite the giving of house connections and construction of drainage as early as possible?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a), (b) and (c) Yes. The waterworks scheme was not designed to provide for house connections, but it is understood that the committee has recently taken steps to provide 25 metered connections. No drainage scheme has as yet been undertaken and there is therefore at present no means of disposing of waste water. No return has as yet been received for the waterworks as in the absence of house connections there can be no sale of water and no water tax has as yet been imposed.

(d) It is for the municipal committee and not for Government to take any steps that are required, but the Sanitary Engineer is prepared to draw up a drainage scheme as soon as the committee requests him to do so.

RELEASE OF ARJAN SINGH.

2441. Lala Bodh Raj: (a) Is it a fact that Arjan Singh, prisoner No. 245, confined in Rawalpindi jail, was serving out his substantive sentence of imprisonment and doing hard labour in other jails, while his case had been remanded by the Appellate Court for re-trial on or about 5th December 1923?

If so, will the Government please state if the above period has been counted in his sentence or not? If not, what are the reasons for not doing so?

(b) Will the Government please state if he earned any remission in jail during the period referred to in (a)? If so, has that remission been allowed to him or not? If not, what are the reasons for not doing so?

(*d*) Is it a fact that taking into account the period of sentence undergone by him prior to the date when the Appellate Court ordered his re-trial and the remission earned during the said period, he has served out his full sentence ?

If so, will the Government please state if it contemplates releasing him forthwith ?

The Honourable Sir John Maynard: (*a*) No. The 5th December 1923 was the date of Arjan Singh's original conviction.

(*b*) The period from 5th December 1923 to 11th June 1924, when he became an under-trial prisoner, was counted in his present sentence.

(*c*) The remission earned has been allowed.

(*d*) No. The due date of his release is the 13th January 1926 and it is not proposed to release him earlier.

SALE OF SHOP SITES IN THE COLONY AREA IN JHANG.

2443. Lala Bodh Raj: (*a*) Is it a fact that the Settlement Officer, Jhang, has issued notices to the shopkeepers of the colony area that they should either purchase the sites of their shops at the rate of Rs. 20 a marla or vacate them ?

(*b*) Is it a fact that for the last twelve years or so they have been in possession of these sites free of the rent which they were formerly paying ? If so, what were the reasons for remitting the rent during the past 12 years ?

(*c*) Is it a fact that within the last two or three years such sites have been sold by the Government at Rs. 5 a marla for the purpose of shops and at Rs. 2-12-0 a marla for the purpose of residence ?

(*d*) Is it a fact that Re. 0-1-3 a marla was charged as the price from the zamindars within the last three or four years who were already in possession of such sites ?

(*e*) If the reply to part (*a*) be in the affirmative, will the Government please state the reasons for levying such high charges ?

(*f*) Will the Government please state if any representation has been made on the subject by the persons affected thereby ?

The Honourable Mian Sir Fazl-i-Husain: (*a*) No. The notices issued clearly state that those now in possession of shop sites in the Colony should either purchase them or should state within two months of the date of the receipt of the notice that they wished to remain as tenants. The rate varies between Rs. 25 and Rs. 10 per marla.

(*b*) Yes. *Kiraya Tak Zamini* was abolished in 1912 because it was intended that the village cess leviable under section 35, Act V of 1912, should be substituted for it. But the cess has not come into operation.

(*c*) and (*d*) No.

(*e*) Does not arise.

(*f*) Yes. The representations were, however, based on the mistaken assumption that shopkeepers were being compelled to acquire proprietary rights.

SENTENCE OF FINE AGAINST SARDAR TEJA SINGH.

2444. Lala Bodh Raj : (*a*) Is it a fact that Sardar Teja Singh *alias* Niranjan Singh, son of Sardar Atma Singh, of Khan Piara, tahsil Gurdaspur, thana Chunian, confined in the Campbellpur jail, had not any sentence of fine standing against him ?

(*b*) Is it a fact that Rs. 300 have been realised as fine by the sale of his landed property ?

(*c*) If the reply to (*a*) be in the affirmative, will the Government please state at whose instance the action referred to in (*b*) above was taken ? Will the Government please state if any action has been taken against the person at whose instance the above action was taken ?

(*d*) Will the Government please state how it intends to compensate Sardar Teja Singh for the loss he has suffered ?

The Honourable Sir John Maynard :

(*a*) No.

(*b*) Yes.

(*c*) and (*d*) Do not arise.

RELIGIOUS PREACHING IN LAHORE JAILS.

2445. Lala Bodh Raj : (*a*) Is it a fact that facilities are provided to Maulvis and Christian priests to visit Lahore jails and preach religious sermons to prisoners confined therein ?

(*b*) Is it a fact that no Hindu or Sikh missionary has been appointed for the same purpose ? If so, will the Government please state the reason ?

(*c*) Will the Government please state if it contemplates making the appointment of any Hindu or Sikh missionary in the near future ?

The Honourable Sir John Maynard : (*a*) Yes.

(*b*) One application was received from a Hindu and he was allowed, no Sikh missionary applied.

(*c*) No.

TRANSFER OF PRISONERS FROM THE ANDAMANS TO JAILS IN THE PUNJAB.

2446. Lala Bodh Raj : (*a*) Will the Government please state how many prisoners that were sent back from the Andamans having been declared unfit to remain there on account of climatic conditions or otherwise were admitted in Lahore Central Jail within the last three years and how many of them died while confined in that jail ?

(*b*) Will the Government please lay on the table the rules for the commutation of sentences of transportation of prisoners who are either not sent to the Andamans or who are sent back from the Andamans having been declared unfit to remain there ?

(*c*) Is it a fact that the rolls of prisoners referred to in (*b*) and convicted in or after 1919 are sent to the Government for the commutation of their sentences, while those of prisoners convicted before 1919 have not been sent to the Government for the same purpose ? If so, what are the reasons for such distinction ?

The Honourable Sir John Maynard : (*a*) 85, of whom 14 died.

(*b*) There are no rules on the subject of the remission of part of the sentences of prisoners transferred from the Andamans to serve out their sentences in Indian Jails, and the sentences of such persons are not com-

muted. Each case is decided on its merits by the Local Government, and, as a rough working guide to remission, it is the practice to treat three years of transportation as, equivalent to two years' imprisonment in a jail in India, in these cases.

(c) Sentences on convicts confined in Punjab Jails without a commutation order in default of transportation prior to June 1920 were not revised, but except in the case of convicts convicted under sections 121, 222, 302 and 311, Indian Penal Code, Jail Superintendents were directed to submit their rolls after 10 years' less remissions instead of after 14 years as was the practice at that time.

BRIDGE OVER THE DEK NULLAH NEAR ZAFARWAL AND METALLED ROAD FROM QILA SOBHA SINGH TO ZAFARWAL.

2447. Khan Muhammad Abdullah Khan: (a) Is it a fact that the nearest railway station for Zafarwal ilaqa is Qila Sobha Singh (Sialkot-Narowal Railway), and that there is no metalled road from Qila Sobha Singh to Zafarwal and the passengers have to detrain at Chawinda station and travel about 12 miles by road from Chawinda to Zafarwal and *vice versa* and to cross the Dek Nullah, which is dangerous and troublesome in the rainy season ?

(b) If the answer to the above is in the affirmative, will Government kindly state whether it is proposed to construct a bridge over the Dek Nullah near Zafarwal or a metalled road from Qila Sobha Singh to Zafarwal in order to remove the inconvenience of the public ?

The Honourable Sardar Jogendra Singh: (a) The facts are substantially correct.

(b) The construction of a bridge over the Dek near the present railway bridge is under consideration, and it is understood that when it is built the Sialkot District Board will construct a good katcha road from Qila Sobha Singh to Zafarwal. There is no proposal to make this a metalled road at present nor is it considered feasible to bridge the Dek Nullah near Zafarwal at which point the bed is very wide and there is no good bridge site.

NORMAL SCHOOLS IN THE PROVINCE.

2451. Khan Muhammad Abdullah Khan: Will Government be pleased to state the total number of pupils under training in Normal Schools in the province and the total number of stipends held by them in each case stating the number of Muslims, Hindus, Sikhs and others ?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The required information is given below :—

	Hindus.	*Muhammadans.*	*Sikhs.*	*Others.*	*Total.*
(a)	750	938	181	20	1,889
(b)	714	916	173	18	1,821

BALWANT SINGH, *alias* LONDONTOR SINGH, PRISONER IN RAWALPINDI JAIL.

2452. Lala Bodh Raj: Is it a fact that Balwant Singh, *alias* Londontor Singh, prisoner No. 5761, now confined in Rawalpindi jail, was classed as C. G.B. on 8th September 1924 for one month, but he was stopped being treated as such on 19th September 1924 before the expiry of one full month? If so, will the Government please state the reasons?

The Honourable Sir John Maynard: Prisoner No. 5761 Balwant Singh, *alias* Londontor Singh, was placed in Convalescents' Gang B for one month on the 8th September 1924 as his weight on the 7th September 1924 had fallen from 119 to 111 lbs. He was removed from the Convalescents' Gang B on the 19th September 1924 as his weight on that day was 116 lbs. He is now 9 lbs. above the standard weight.

TRANSFER OF GOVERNMENT OFFICIALS.

2454. Lala Bodh Raj: (*a*) Will the Government please state if there are any rules relating to the transfer of Government officials? If so, will the Government please lay them on the table?

(*b*) Will the Government please state if there are any executive officers at Hissar who have been posted there for more than five years? If so, will the Government please state the reasons why they are not being transferred to some other districts?

Mr. J. M. Dunnett: (*a*) The honourable member is referred to the reply given to Council Question No. 1735.*

(*b*) One Tahsildar has been in the district, but not in the same tahsil, for more than five years.

CRIMINAL CASES IN THE HISSAR DISTRICT.

2455. Lala Bodh Raj: Will the Government please state for the Hissar district—

(*i*) the number of criminal cases instituted by Government in the years 1923-24 and 1924-25, respectively;

(*ii*) the number of cases among them disposed of till now; and

(*iii*) the longest period as well as the shortest period taken for the disposal of such cases?

The Honourable Sir John Maynard: It is presumed that the honourable member refers only to cases instituted after sanction of Government under sections 196-197, Criminal Procedure Code.

The answer is—

(*i*) 1923—nil: 1924—3: 1925—nil.

(*ii*) All these cases have been disposed of.

(*iii*) One case occupied 2 months and 25 days: the other two, 4 days only.

APPOINTMENT OF BABU HAR LAL SINGH AS SECRETARY, BHIWANI MUNICIPALITY.

2463. Lala Bodh Raj: Is it a fact that the question of appointing Babu Har Lal Singh as Secretary, Bhiwani Municipality, was kept pending in the Commissioner's office for over a year? If so, why?

The Honourable Rai Sahib Chaudhri Chhotu Ram: No.

*Vol. VIII-A, pages 869-70 and appendix V, page lxxv.

COTTON CROPS IN THE PROVINCE.

2466. Lala Bodh Raj: (*a*) Will the Government please state the steps taken for the increase and improvement of cotton crops in the province?

(*b*) Will the Government please state the total crop of cotton produced annually in the Hansi tahsil of the Hissar district during the last five years?

The Honourable Sardar Jogendra Singh: (*a*) Detailed information will be found in the annual reports of the Agricultural Department. Nearly one million acres this year are under American cottons selected by the Economic Botanist, besides a large area under his selected *desis*. Last year 57,000 acres were sown with *desi* selected seeds from the Government farm at Hansi. The financial gain to growers of these selected seeds is estimated to be Rs. 2½ crores in 1923-24 and much more in 1924-25.

A special officer is now at work on cotton alone, for which work the Indian Central Cotton Committee has given a generous grant of Rs. 45,000 per annum for five years.

(*b*) A statement giving the required information is laid on the table.

Statement showing the total area and outturn of cotton in the Hansi Tahsil of the Hissar District for the five years, 1920 *to* 1924.

District.	Tahsil.	Year.	Cotton.	
			Total area in acres.	Total outturn in bales.
Hissar	Hansi	1920 ...	32,863	6,948
		1921 ...	20,450	7,560
		1922 ...	32,066	12,818
		1923 ...	39,893	17,163
		1924 ...	31,096	18,448

SUGARCANE AND COTTON CULTIVATION.

2467. Lala Bodh Raj: Will the Government please state the total area under sugarcane and cotton cultivation, respectively, in the Rohtak district and the total annual crop of each kind produced during the last five years?

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

Statement showing the total area and outturn of sugarcane and cotton in the Rohtak district for the five years, 1920 *to* 1924.

District.	Year.	Sugarcane.		Cotton.	
		Total area in acres.	Total outturn in tons.	Total area in acres.	Total outturn in bales.
Rohtak	1920 ..	40,848	48,089	57,180	10,268
	1921 ...	24,266	24,246	27,106	6,256
	1922 ...	41,661	61,900	37,765	9,800
	1923 ...	52,382	71,800	42,276	11,300
	1924 ...	34,046	28,400	58,469	17,200

VISIT OF LALA BODH RAJ, M. L. C., TO MULTAN CENTRAL JAIL.

2468. Captain Dhan Raj, Bhasin: (*a*) Is it a fact that the Superintendent, Central Jail, Multan, wrote a letter to the Inspector-General, Prisons, on or about the 10th of August last making certain allegations against Lala Bodh Raj, M.A., LL.B., M.L.C., a non-official visitor to the jail, in connection with a certain visit of his to the said jail?

(*b*) Is it a fact that the District Magistrate, Multan, and two other non-official visitors accompanied Lala Bodh Raj during his visit referred to in (*a*) above?

(*c*) Is it a fact that Lala Bodh Raj was asked by the Government to answer the allegations contained in the letter referred to in (*a*), and that his explanation was submitted to the Government by the District Magistrate along with his report?

(*d*) Is it a fact that the District Magistrate corroborated the allegations of the Superintendent against Lala Bodh Raj?

(*e*) Will the Government please state what action has been taken on the allegations of the Superintendent and the answer of Lala Bodh Raj?

(*f*) Will the Government please lay on the table the letter referred to in (*a*) above, the explanation of Lala Bodh Raj and the report of the District Magistrate?

The Honourable Sir John Maynard: (*a*) Yes.

(*b*) Yes.

(*c*) Yes.

(*d*) No.

(*e*) No action was taken, as none was deemed to be necessary.

(*f*) No; Government does not consider it expedient to publish this correspondence.

Captain Dhan Raj Bhasin: Will Government kindly state why it does not consider it expedient to publish the correspondence?

The Honourable Sir John Maynard: That appears to be an argument, Sir.

VISIT OF LALA BODH RAJ, M.L.C., TO MULTAN DISTRICT JAIL.

2469. Captain Dhan Raj, Bhasin: (*a*) Is it a fact that an Assistant Jailor, District Jail, Multan, wrote a letter on or about the 29th August 1925, making certain allegations against Lala Bodh Raj, M.A., in connection with his visit to the said jail on or about the 28th of July 1925?

(*b*) Is it a fact that Lala Bodh Raj was asked by the Government to answer those allegations?

(*c*) Will the Government please state the reasons why the Assistant Jailor did not make his report for over one month after the said non-official visitor paid his visit to the jail.

(*d*) Will the Government please state what action has been taken by the Government on the said letter?

(*e*) Will the Government please lay on the table the contents of the above letter and the explanation of Lala Bodh Raj?

The Honourable Sir John Maynard: (*a*) Yes.

(*b*) Yes.

(*c*) The Assistant Jailor's letter of 29th August 1925 was supplementary to a report submitted by the Jailor through his superiors on the actual day of the visit in question.

(*d*) An explanation was asked for from Lala Bodh Raj regarding his alleged conversation with Akali prisoners.

(*e*) No. Government does not consider it expedient to publish this correspondence.

Chaudhri Duli Chand: With reference to this answer will Government kindly state if the warder who gave evidence before the Jail Committee in connection with the assault on Lala Bodh Raj has been dismissed since?

The Honourable Sir John Maynard: I fancy, Sir, there is some confusion. This is the Multan Jail and not the Montgomery.

VISIT OF CAMPBELLPUR JAIL BY SARDAR GURBAKHSH SINGH AND LALA BODH RAJ.

2470. Captain Dhan Raj, Bhasin: Is it a fact that Sardar Gurbakhsh Singh and Lala Bodh Raj, Members, Jail Standing Committee, paid a visit to Campbellpur jail recently and submitted reports to Government about the jail?

[Capt. Dhan Raj Bhasin.]

(b) If so, will the Government please state what action has been taken on their reports ?

The Honourable Sir John Maynard : (a) Yes.

(b) The reports* with remarks on the action taken are laid on the table.

SUPERINTENDENT OF CAMPBELLPUR JAIL AND OUTTURN OF LABOUR BY *AKALI* PRISONERS.

2471. Captain Dhan Raj Bhasin : (a) Is it a fact that the present Superintendent, Campbellpur Jail, Major M. D. Wadia, requires the *Akali* prisoners to give a greater output of labour than they have been required by the three *ex*-Superintendents during the last 18 months ? If so, what are the reasons for deviation from the old practice ?

(b) Is it a fact that the prisoners are put in "Peshi" and punished for not turning out the amount of labour allotted by the present Superintendent ?

The Honourable Sir John Maynard : (a) Yes, because these prisoners were formerly allotted inadequate tasks.

(b) Punishments, as provided by the rules, are inflicted for short or bad work.

Lala Bodh Raj : Is it a fact that during the eighteen months referred to in part (a) the Inspector-General of Prisons paid a visit to the Jail and approved of the task that was being taken from the Akali prisoners confined therein ?

The Honourable Sir John Maynard : I cannot say without enquiry.

PUNISHMENT OF PRISONERS IN CAMPBELLPUR JAIL.

2472. Captain Dhan Raj Bhasin : Is it a fact that in the Campbellpur Jail—

(a) the newly-admitted prisoners are not shown any consideration in the matter of allotting work for them for the reason that they are new to the jail work and that they are punished for short work ;

(b) the prisoners reduced in weight by 10 lbs. were not classed as C.G.B. ;

(c) a few prisoners had been given unserviceable woollen blankets at the time when Sardar Gurbakhsh Singh or Lala Bodh Raj paid the visit ; while there was a sufficient number of them in stock ;

(d) a large number of Sikh prisoners had not been provided towels along with their jail uniforms at the time of admission ;

(e) the prisoners working in the kitchen are all confined at night hours in a small room attached to the old kitchen where the prisoners have no facilities for answering calls of nature ? If so, will the Government please state the dimensions of the room and the number of prisoners working in the kitchen ?

The Honourable Sir John Maynard : (a) Newly-admitted prisoners are given reasonable time in which they can acquire a knowledge of their work, and are not punished during that time.

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*Appendix XII.

(b) Prisoners who lose weight are admitted to the convalescent gang after examination by the medical officer.

(c) Sardar Gurbakhsh Singh made no mention of blankets and Lala Bodh Raj only remarked that the supply of blankets to prisoners is not enough to protect them from cold, although there is sufficient number of them in stock. The question of unserviceable blankets therefore does not arise.

(d) Owing to increase in the jail population the stock of towels had run short, but an urgent order was placed with the Multan Central Jail and on receipt the towels were issued to prisoners.

(e) The arrangements described are obsolete. All convicts employed on kitchen duty now sleep in an adjacent barrack, where latrine arrangements exist at night.

COMPLAINT OF PRISONERS IN THE CAMPBELLPUR JAIL.

2473. Captain Dhan Raj, Bhasin : Is it a fact that some prisoners confined in the Campbellpur Jail complained to Sardar Gurbakhsh Singh and Lala Bodh Raj, non-official visitors, that they were abused and roughly handled by the jail officials, and that the Sikh prisoners were pulled by their hair by the jail officials or by the warders ?

The Honourable Sir John Maynard : Yes, but the allegations were found to be false.

Captain Dhan Raj, Bhasin : Will Government state if enquiries were made from the prisoners who were concerned in the enquiry ?

The Honourable Sir John Maynard : Yes.

Captain Dhan Raj, Bhasin : Does Government not consider an independent enquiry necessary in the matter ?

The Honourable Sir John Maynard : The allegations were found to be false.

SUPPLY OF COTTON CLOTHING TO PRISONERS IN CAMPBELLPUR JAIL.

2474. Captain Dhan Raj, Bhasin : Is it a fact that in the Campbellpur Jail the cotton clothes had run short in the stock, and that the uniforms of prisoners were not changed for 8 or 9 months ?

The Honourable Sir John Maynard : There was a temporary shortage of new clothing during the months of September and October last, owing to an unanticipated increase in population, and pending the arrival of new stock, repaired and serviceable clothing was issued. New clothes were issued when absolutely necessary.

PRISONERS WITH BAR FETTERS OR CROSS BARS.

2475. Captain Dhan Raj, Bhasin : Will the Government please state if any consideration is shown in the matter of labour to such prisoners as are undergoing the punishment of bar fetters or cross-bars, because of their inability to work freely like an ordinary prisoner ?

The Honourable Sir John Maynard : Yes. These convicts are given such labour as they can easily perform.

ILL-TREATMENT OF UNDER-TRIAL PRISONERS IN LYALLPUR JAIL.

2476. Captain Dhan Raj, Bhasin: Is it a fact that the under-trial prisoners confined in the Lyallpur Jail complained to the non-official visitors that the jail officials were exacting work from them, and that sick prisoners were not given facilities for admission into the hospital unless they paid a certain amount of admission fee?

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

COMPLAINT AGAINST SUB-INSPECTOR, HANSI POLICE STATION.

2477. Chaudhri Sahib Dad Khan: (*a*) Will the Government be pleased to state if it is a fact that the Sub-Inspector, Hansi Police Station, did not register the information report when one Dhuman, Rajput, of village Rajanpura, recently called at the Hansi Police Station to report the theft of his buffaloes, and on the other hand, threatened the complainant for making false report?

(*b*) If so, was the conduct of the Sub-Inspector brought to the notice of higher authorities, and if so, what action was taken on the same?

The Honourable Sir John Maynard: (*a*) No. Dhuman, Rajput, made no such report at the Hansi Police Station, nor did he report at all. His allegations to this effect were found on enquiry to be false.

(*b*) Yes, but no action was taken against the Sub-Inspector, who was in no way to blame.

COMPLAINT AGAINST SUB-INSPECTOR, RORI POLICE STATION.

2478. Chaudhri Sahib Dad Khan: (*a*) Is it a fact that the Sub-Inspector of Rori Police Station refused to take any action when a report was recently made to him that the daughter of an aged Muhammadan, resident of village Mattuwala, had been abducted by some Sikhs, and that she was being kept in village Sahuwala?

(*b*) If so, was the conduct of the Sub-Inspector brought to the notice of higher authorities, if so, what action was taken in the matter?

The Honourable Sir John Maynard: (*a*) The case mentioned by the honourable member occurred within the jurisdiction of the Rania Thana and was taken up by the police there. No report was made to the Rori Sub-Inspector.

(*b*) Does not arise.

IRRIGATIONS IN THE HISSAR DISTRICT.

2479. Chaudhri Sahib Dad Khan: Will the Government be pleased to state—

(*a*) whether its attention has been drawn to the fact that big and rich landlords in the Hissar district are shown special favour by the canal authorities in the matter of distribution of canal water;

(*b*) whether it is a fact that unirrigable lands of such landlords as mentioned in (*a*) get a due share of canal water which they divert to their irrigable lands for which they get in addition a separate share of canal water;

(*c*) whether it is a fact that such unirrigable lands belonging to Mahajans of Hissar and situated at village Mangali get a due share of canal water and thus reduce the water supply to other zamindars and also cause a loss of the Government revenues?

(*d*) whether it is a fact that the outlets discharging canal water into the lands of zamindars of village Naya Gaon in the Hissar tahsil have been considerably reduced in size, while the irrigation of a big proprietor of village Budha Khera on the same Sirsa Branch has been considerably extended by the construction of a new outlet or by the enlargement of the size of the already existing outlets or in both ways;

(*e*) whether it is a fact that the outlet of Pabra Minor, irrigating the land of Ahmad Hasan, Sayad, of Daulatpur, has been reduced in size, thus reducing his supply of water, the surplus water thus saved being supplied to other big zamindars; and

(*f*) whether it is a fact that outlets supplying water to the lands of zamindars owning small holdings of village Hajainpur in the Hansi tahsil are closed in order that the Mahajans of Hansi may irrigate their land to the full extent?

The Honourable Mian Sir Fazl-i-Husain: (*a*) It is not a fact that big and rich landlords in the Hissar district are shown special favour by the canal authorities in the matter of distribution of canal water.

(*b*) The reply is in the negative.

(*c*) The reply is in the negative.

(*d*) Two of the three outlets irrigating in Naya Gaon village in the Hissar tahsil were reduced in size in 1923 in the General Remodelling of outlets of the Pabra Distributary System and with the concurrence of the Deputy Commissioner, village Budha Khera was given a separate outlet in 1923 to restore its irrigation. Irrigation was not *extended* in this village.

(*e*) The outlet in Pabra Minor irrigating in Daulatpur village was reduced because it was doing excessive irrigation. There is no surplus water on the Western Jumna Canal.

(*f*) It is not a fact that outlets supplying water to the lands of zamindars owning small holdings of village Hajainpur, tahsil Hansi, are closed in order that the Mahajans of Hansi may irrigate their land to the full extent.

INSPECTION OF CERTAIN FILES.

2481. Professor Ruchi Ram, Sahni: (*a*) Will the Government be pleased to state whether a predecessor of the present Deputy Commissioner of Montgomery issued instructions to the following effect:—

[Professor Ruchi Ram Sahni.]

(i) that files and papers relating to certain Revenue Acts, such as the Punjab Land Revenue Act or the Colonization of Government Land Act, should not be allowed to be inspected by the parties or their counsels concerned, nor are copies to be supplied to them ?

(ii) that legal practitioners should not be allowed to appear in cases under the Punjab Colonization of Government Land Act ?

(b) Is the Government aware of the fact that the instructions so issued are opposed to the provisions of section 106 (d) of the Punjab Tenancy Act, 1887, and Financial Commissioner's Standing Order No. 62, and sections 3 and 7 of the Colonization of Government Land Act and 18 of the Land Revenue Act, 1887 ?

(c) Will the Government be pleased to lay on the table a copy of the instructions referred to in (a) above ?

(d) If the answer to (b) is in the affirmative, will Government please say whether they propose to have the instructions cancelled at an early date ?

The Honourable Mian Sir Fazl-i-Husain : (a) (i) No. An order was, however, issued to the effect that executive orders and proceedings would not be inspected by parties or counsel, and that copies of such papers should not be supplied.

(ii) No. The prohibition was only in regard to executive matters.

(b) No.

(c) No.

(d) Does not arise.

INCREASE OF CRIMES IN SARGODHA DISTRICT.

2484. Professor Ruchi Ram Sahni : (a) Is it a fact that the number of cases of crimes has of late largely increased in the Sargodha district ?

(b) Will the Government be pleased to mention the number of cases challaned for every quarter since the beginning of 1924, both for the district of Sargodha and police station of Miani ?

(c) Does the Government propose to send a stronger police officer to the Sargodha district for reducing the number of crimes there ?

The Honourable Sir John Maynard : (a) No ;

(b) Statements are laid on the table ; and

(c) No.

QUARTERLY COMPARATIVE STATEMENT OF CRIME SHOWING CASES CHALLANED DURING THE YEARS 1924 AND 1925 UP TILL 30TH NOVEMBER.

Serial No.	Police Station.	1924.				1925.				Remarks.
		1st quarter cases challaned.	2nd quarter cases challaned.	3rd quarter cases challaned.	4th quarter cases challaned.	1st quarter cases challaned.	2nd quarter cases challaned.	3rd quarter cases challaned.	4th quarter cases challaned.	
1	Sadar Sargodha ...	13	13	15	9	12	19	14	8	Figures for 1916 to 1924 are for whole year, while for 1925 are for 11 months.
2	City Sargodha ...	19	5	8	8	11	19	21	7	
3	Khana ...	13	15	12	8	12	13	11	5	
4	Sillanwali ...	11	15	12	8	5	10	13	5	
5	Sahiwal ...	2	8	7	1	5	15	6	7	
6	Nurpur ...	12	7	15	5	5	8	4	1	
7	Shahpur ...	8	10	5	8	15	14	12	8	
8	Khushab ...	8	10	5	8	4	1	4	4	
9	Mitha Tiwana ...	6	4	6	2	...	7	8	...	
10	Kotha Sagital ...	8	7	6	3	6	8	7	1	
11	Nowshahra ...	2	9	6	3	4	6	9	4	
12	Chanjral ...	4	4	9	2	2	5	6	2	
13	Bhalwal ...	6	10	15	8	10	18	8	7	
14	Kot Momin ...	7	8	7	7	9	7	10	2	
15	Midhi Ranjha ...	12	5	6	7	8	10	15	1	
16	Miani ...	2	6	8	3	5	8	7	...	
17	Bhera ...	6	14	9	4	13	6	11	8	
18	Jhawrian ...	5	8	5	3	11	7	8	1	
19	Railway Sargodha ...	9	3	5	2	3	5	1	1	
20	Railway Mianwali ...	1	2	3	1	1	1	...	...	
21	Railway Lala Musa ...	...	1	...	...	...	1	1	1	
	Total ...	149	164	161	93	146	189	171	66	

QUARTERLY COMPARATIVE STATEMENT SHOWING CASES CHALLANED DURING THE YEAR 1924-25.

Police Station.	Quarters.	1924. Cases challaned.	1925. Cases challaned.	REMARKS.
Milani ...	1st quarter	2	5	
	2nd quarter	6	8	
	3rd quarter	6	7	
	4th quarter, i.e., (October and November).	3	...	
	Total ..	17	20	

BREACH IN THE RAYA BRANCH OF THE UPPER CHENAB CANAL.

2494. Sayad Muhammad Husain: (a) Is it a fact that all the areas of village Satrah, district Sialkot, was originally irrigated by Satrah Chhamb?

(b) Is it also a fact that in 1912 the Canal Department effected a breach in the Raya Branch of the Upper Chenab Canal on Burji No. 97000, and that this breach silted up the soil and made it unirrigable from the Satrah Chhamb?

(c) Is it also a fact that about a thousand acres of land were cut off from the irrigation of Chhamb by the introduction of Raya Branch?

(d) Is it also a fact that the Canal Department had been supplying water for this cut-off tract till 1922?

(e) Is it a fact that the owners of village Satrah, district Sialkot, gave notice to the Government in July 1925 claiming damages to the extent of Rs. 30,000?

(f) If the answers to the above are in the affirmative, what action does the Government propose to take in the matter?

The Honourable Mian Sir Fazl-i-Husain: Honourable member is informed that enquiries have been made from local officers, information is being collected and the result is awaited.

ALLEGATIONS OF CORRUPTION AND BRIBERY AGAINST BAKHSHI PARTAP SINGH, SUB-INSPECTOR OF POLICE.

2497. Sardar Narain Singh: (a) Is Government aware that in October last a big Diwan of the Sikhs was held at village Guliani (tahsil Gujrat) in the Gujrat district?

(b) Is the Government also aware that at this Diwan open allegations of corruption and bribery were made against Bakhshi Partap Singh, Sub-Inspector of Police?

(c) If the answer to (b) be in the affirmative, what action does Government propose to take in the matter ?

The Honourable Sir John Maynard: (a) Yes.

(b) Yes.

(c) The Sub-Inspector had been reduced for certain irregularities about 6 weeks before these allegations were made. But the charges actually made at the Diwan were found on enquiry to be false. No further action is contemplated by Government.

EMOLUMENTS OF ZAILDARS.

2498. **Sardar Narain Singh :** (a) Is it a fact that in the districts of Lyallpur and Sheikhupura Government have increased the emoluments of zaildars ?

(b) If so, on what grounds ?

(c) Will Government please state why enhancements of the emoluments of the zaildars in other districts also have not been sanctioned ?

The Honourable Mian Sir Fazl-i-Husain : (a) Lyallpur, No. Sheikhupura, Yes.

(b) The increase in the emoluments of Zaildars in Sheikhupura is due to the constitution of the new district, and the consequent reconstitution of the Zails. It was found that the amount at the disposal of Government for the emoluments of Zaildars, which, as the honourable member is doubtless aware, amounts to 1 per cent. of the land revenue, was sufficient to permit of a considerable enhancement in the emoluments of the Zaildars of the new district.

(c) The question of Zaildari arrangements is taken up by the Settlement Officer, whenever there is a new Settlement, and the matter is examined with a view to seeing if it is possible or necessary to increase the emoluments of Zaildars. Under the rules, the fund, out of which Zaildars' emoluments are paid, is limited ordinarily to 1 per cent. of the land revenue of a tahsil. Usually the whole of fund is utilised, consequently the emoluments of Zaildars can, as a rule, only be enhanced if there is an increase in the land revenue at the time of Settlement.

WATER-LOGGED LANDS IN THE GUJRANWALA DISTRICT.

2499. **Sardar Narain Singh :** (a) (a) With reference to the answer to my question No. 185* asked on 3rd March 1924, will Government please state what is the total area of water-logged lands in the Gujranwala district at present ?

(b) Is Government aware that water-logging in the Gujranwala district is alarmingly on the increase, having already seriously damaged most villages and towns and rendered many people homeless ?

(c) Is it a fact that before the introduction of canals the level of the subsoil water was at a depth of about 30 feet ?

(d) If the figure in (c) above be not correct, will Government please give the correct figure ?

*Vol. VI, page 276.

[Sardar Narain Singh.]

(e) Is it a fact that the level of the subsoil water is now only at a depth of about 8 feet?

(f) Will Government please state in how many years the level has so risen?

(ii) (a) Will Government please state what action it has taken to remove the danger of water-logging in the district?

(b) Was a water-logging committee constituted for the Gujranwala district?

(c) If so, how many times did that committee meet? Will Government please lay on the table the proceedings of these meetings?

The Honourable Mian Sir Fazl-i-Husain:* (i) (a) About 13,600 acres according to the existing definition of water-logging. This includes only cultivated land.

(b) No.

(c) Yes.

(d) Does not arise.

(e) No, except in a comparatively small area running parallel to the main canal.

(f) 12 years.

(ii) (a) Seepage drains have been dug throughout the whole length of the area affected in order to reduce the sub-soil water level.

(b) Yes.

(c) The Committee met 4 times. Government do not propose to lay on the table the proceedings of these meetings.

INCREASE OF WATER-RATES.

2500. Sardar Narain Singh: Will Government please state —

(a) how many petitions objecting to the recent increase of water rates were received by the Settlement Officer, Gujranwala?

(b) what steps were taken to notify the fact of this enhancement to the ordinary cultivators?

(c) if it is a fact that beyond giving information to a few lambardars and zaildars no other definite step was taken to give direct information to the ordinary cultivators?

(d) how many of the applications referred to in (a) were rejected on technical grounds, such as time barred, etc.?

(e) whether any representation was made to the Honourable the Revenue Member or the Financial Commissioner protesting against the enhancement of water rates? If so, when? What were the main grounds of protest?

(f) whether the Honourable the Revenue Member or the Financial Commissioner personally paid any visit to any village to inspect the condition of crops so as to form on the spot a judgment of the real state of things?

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*The answer to this question was not ready at question time, but became ready before the debates were sent to press.

(*g*) the reasons for the enhancement of water rates in the face of such adverse circumstances caused by water-logging ?

The Honourable Mian Sir Fazl-i-Husain : (*a*) No such petitions have been received by the Settlement Officer.

(*b*) to (*g*) do not arise.

Mian Abdul Aziz : Sir, my honourable friend has asked that the answers to questions No. 2499 and No. 2500 be laid on the table. But I should like to know if the answer to question No. 2499 is ready so that if the answer is ready I may put a supplementary question.

Mr. President : The question having been* put by an honourable member on behalf of an absentee member and request made that the answer be laid on the table and the answer not having been actually communicated to any member of the House no supplementary question can arise.

Mian Abdul Aziz : On a point of order, Sir. I put a similar question when Mr. Beazley was here and at that time the honourable member asked that the answer be laid on the table . . . . . .

Mr. President. Order, order. No debate arises on a decision or ruling on a point of order.

SYSTEM OF *RUNUMAI* OF UNDER-TRIAL PRISONERS.

2501. Sardar Narain Singh : (*a*) Is Government aware that magistrates in the province often keep the accused persons under trial in the lock-up much longer than the prescribed period of 15 days at a time ?

(*b*) Is Government aware that to evade the provisions of the Criminal Procedure Code the magistrates generally fix an intervening date for what is known as the *runumai* (face showing) of the accused ?

(*c*) If the answers to (*a*) and (*b*) be in the affirmative, will Government please state whether this system of *runumai* is authorised ?

The Honourable Sir John Maynard : (*a*) Unavoidable circumstances such as the impossibility of securing the attendance of witnesses by the date fixed, or an exceptional press of work, sometimes make it necessary to adjourn a case under Section 344 of the Criminal Procedure Code and to remand the accused in custody.

(*b*) Government is not aware that magistrates fix an intervening date with any intention of evading the provisions of the Criminal Procedure Code. In cases of the sort mentioned in the answer to part (*a*) an intervening date is fixed in order to comply with the provisions of the Code.

(*c*) The practice referred to in part (*b*) of this answer is authorised by Section 344 of the Criminal Procedure Code.

GARDEN PARTIES IN HONOUR OF SHAIKH NUR ELAHI, INSPECTOR OF SCHOOLS, MULTAN.

2502. Lala Bodh Raj : (*a*) Is it a fact that Shaikh Nur Ilahi, Inspector of Schools, Multan, on or after his transfer from Multan was given garden parties in several districts of the division and the officials of the district joined in those functions ?

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* The questions Nos. 2497-2501 were put by Sardar Jodh Singh on behalf of Sardar Narain Singh who was absent.

[Lala Bodh Raj.]

(b) Will the Government please state if any sanction was obtained for the same from the Government as required by the Government Servants Conduct Rules?

(c) If the reply to part (a) be in the affirmative, and to part (b) be in the negative, will the Government please state what action it has taken or intends to take against the officials concerned?

The Honourable Rai Sahib Chaudhri Chhotu Ram: Government is not aware of the precise extent of the parties referred to in the question. If the parties were public, then Government sanction was required. Government does not propose to take further action in this particular matter, but will point out the necessity of a compliance with the rule in future.

Lala Bodh Raj: Has the Government cared to enquire if the parties were at all given?

The Honourable Rai Sahib Chaudhri Chhotu Ram: Yes.

Lala Bodh Raj: Will the Government please state the nature of those parties?

The Honourable Rai Sahib Chaudhri Chhotu Ram: Government is not aware of the nature and extent of the parties.

Lala Bodh Raj: Were the parties given in a private house or in a public garden?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I have no information on this point.

KHARAR WATER-WORKS SCHEME.

2504. Lala Bodh Raj: (a) Is it a fact that Lala Thakar Das, Teacher, Mission School, is also the President of the Small Town Committee, Kharar, district Ambala?

(b) Is it a fact that the Government has sanctioned the grant of about Rs. 30,000 to the committee for the water-works scheme?

(c) Is it a fact that in connection with the execution of the above scheme an experimental well is being sunk, and that the contract for this work has been given to Lala Sohan Lal, the son of the President of the Committee, and that the President has himself to supervise the work?

(d) Is Government aware that Lala Sohan Lal does not possess any immovable property in his own name?

(e) Is it a fact that several complaints have been made to the Deputy Commissioner, Ambala, against the President and his son, the contractor? If so, what action has been taken on those complaints?

(f) If the reply to part (d) be in the affirmative, will the Government please state what steps have been taken to prevent any loss to the Government or the committee in case the contractor does not comply with the terms of the contract in executing the work?

(g) Will the Government please state whether the Government intends to interfere in the matter?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

OFFICERS OF GOVERNMENT AT ZAFARWAL.

2505. Khan Muhammad Abdullah Khan: With reference to the answer to question No. 2448,* asked on the 11th December 1925, will Government be pleased to state at least the community to which these officials belonged and further consider the advisability of stating the date of their posting to Zafarwal?

Mr. J. M. Dunnett: The information required is given in the statement below :—

	Officer.	*Community.*	*Date of appointment.*
1.	Sub-Inspector of Police ..	Hindu	... 19th December 1922.
2.	Sub-Assistant Surgeon ...	Hindu	... 15th October 1921.
3.	Honorary Magistrates ...	1 Muslim and 1 Hindu.	12th December 1923.
4.	Sub-Overseer	*Nil.*	
5.	Tahsildar		

NAROWAL MUNICIPAL COMMITTEE.

2506. Khan Muhammad Abdullah Khan: With reference to the answer to question No. 2450,† asked on the 11th December 1925, will Government kindly state the population of 'Hindus' and 'others' separately, and also say—

(a) why a member has been nominated from 'others' for that municipality and what interests he is supposed to represent;

(b) why no Muhammadan has been nominated as a member of the municipal committee; and

(c) whether Government proposes to take the claims of Muhammadans for nomination into consideration when nominating a member for the next vacancy or when the next general elections take place?

The Honourable Rai Sahib Chaudhri Chhotu Ram:

Hindus	...	1,350
Others	...	463

(a) A Christian was appointed to represent the Christian community of the town.

(b) The two best persons available were appointed.

(c) Government do not wish to interfere in the discretion of the Commissioner.

"BUND" NEAR VILLAGE BUBAK, SIALKOT DISTRICT.

2507. Khan Muhammad Abdullah Khan: Will Government please state whether it is a fact that long ago there existed a "Bund" near village Bubak, two miles from Zafarwal in the Sialkot district, for the protection of village Bubak and the main Zafarwal-Sialkot road, but this "Bund" has not been in existence for the past few years, and consequently the lands of several zamindars of Bubak and almost all the portion of main road opposite Bubak have been washed away by the floods of the Dek

* Vol. VIII-B page 1705.

† Vol. VIII-B, pages 1705-06.

[Khan Muhammad Abdulla Khan.]

Nullah? If the answer to the above is in the affirmative, will Government kindly state what action it has so far taken to repair or to reconstruct this "Bund" to safeguard the lands of zamindars and the main Zafarwal-Sialkot road.

NOTE.—This "bund" does not refer to the "bund" which exists between villages Bubak and Hanjali along the Dek Nullah.

The Honourable Rai Sahib Chaudhri Chhotu Ram: Yes. The matter is under consideration.

LAHORE ZOO.

2508. Khan Muhammad Abdullah Khan: (i) (a) Will Government kindly state the year in which the Lahore Zoo was established and opened to public?

(b) Will it also state the names (community wise) of the Curator employed ever since the establishment of the Zoo up till now?

(c) Will Government kindly consider the advisability of entrusting this job to an Indian in the near future or at least when the present incumbent vacates the post?

(ii) (a) Will Government be pleased to state who audits the accounts of the Lahore Zoo and who is the disbursing officer of the annual grant sanctioned for the Zoo?

(b) Will it also state whether the accounts of the Zoo have been audited ever since its establishment? If so, how many times and whether any discrepancies have ever been found in its accounts?

The Honourable Sardar Jogendra Singh: 1. (a) The Zoo was established and opened to public sometime between 1868 and 1878.

(b) Mr. Hensley, Curator of the Lahore Zoo, died in January 1906.

Mr. A. Pinto was Curator from 6th January 1906 to 26th April 1921. Mr. C. Pinto was appointed Curator on 27th April 1921 and still holds the post.

(c) The point can be considered when the present incumbent vacates the post.

2. Messrs. Sodhbans and Company, Government Certified Auditors, were appointed Honorary Auditors of Zoo Accounts in 1916. They audited the accounts regularly till 1922, when the Zoo was provincialised. No discrepancies were brought to light. The accounts are now audited by the Accountant-General, Punjab. Deputy Commissioner, Lahore, President of the Zoo Committee, is the disbursing officer of the annual grant.

SHAH CHIRAGH MOSQUE.

2514. Maulvi Mazhar Ali, Azhar: (a) Is it fact that the offices of the District and Sessions Judges of Lahore and Montgomery are situated in a building, which is called the Shah Chiragh Mosque?

(b) Is it a fact that this building was not erected by the Government but was constructed in the days of Emperor Muhammad Shah, about the year 1716 A.D., by Nawab Khan Bahadur Khan?

(c) Is it a fact that this mosque, together with other mosques, for example, the Badshahi Mosque, the Nila Gumbad Mosque, the Sonehri Mosque, etc., fell into the hands of Government after the fall of the Sikh kingdom ?

(d) Is it a fact that the other mosques have been restored by the Government to their rightful trustees and custodians, the *Muslims* ?

(e) If the answer to the above be in the affirmative, will the Government please state whether it ever considered the question of restoring this mosque to the *Muslims* ?

(f) Has it come to the notice of the Government that there has been agitation amongst the Muhammadans regarding this mosque, and pamphlets have been published and articles have appeared in the newspapers ?

(g) Does the Government propose to restore the mosque to the *Muslims* ? If not, will the Government kindly state the reasons ?

The Honourable Sir John Maynard: The question is still under consideration.

A PRIVATE MEDICAL PRACTITIONER AT SIRSA.

2518. **Lala Sham Lal:** (a) Will the Government be pleased to state whether it is a fact that a certain registered private medical practitioner at Sirsa was recently prosecuted under section 354, Indian Penal Code, for an indecent assault on a lady of a railway official, and that the prosecution was dropped on the practitioner's tendering an unqualified apology and paying Rs. 300 compensation ?

(b) If the answer to (a) be in the affirmative, will the Government be pleased to state whether the said conduct of this practitioner does not disqualify him for registration according to the Medical Registration Act of 1918 ?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) Yes ; but Government is not aware of the payment of Rs. 300.

(b) No.

ROAD FROM CHAWINDA TO ZAFARWAL IN THE SIALKOT DISTRICT.

2519. **Khan Muhammad Abdullah Khan:** (a) Is it a fact that there is a *kucha* road from Chawinda to Zafarwal in the Sialkot district ? Is it also a fact that only two miles of this road near Chawinda were metalled several years ago and this metalled portion is now badly in need of repairs ?

(b) If the answers to the above are in the affirmative, will Government please state what steps it proposes to take to carry out these repairs and to take in hand the metalling of the remaining portion of this road at an early date ?

The Honourable Sardar Jogendra Singh: (a) Yes.

(b) The matter is already under the consideration of the district board concerned.

CENSUS OF SHEEP AND GOATS IN KANGRA DISTRICT.

2521. **Chaudhri Ram Singh:** Will Government please state the number of times the census of sheep and goats has been taken in the Kangra district since the settlement of 1917-18 ? Will it also please state tahsilwar the results of each census ?

The Honourable Mian Sir Fazl-i-Husain : Since the year 1917-18 a census of sheep and goats has been taken twice, *viz.*, in 1920 and 1923. A statement showing results by tahsils is placed on the table.

Statement showing the number of sheep and goats during the cattle census held in 1920 and 1923 in Kangra district.

Tahsil.	Year 1920.		Year 1923.	
	Sheep.	Goats.	Sheep.	Goats.
Kangra	21,005	46,757	19,554	52,823
Nurpur	2,783	54,787	20,913	76,104
Dehra	11,217	54,105	23,625	66,160
Hamirpur	28,563	44,188	31,598	56,054
Palampur	46,167	45,511	32,912	39,993
Kulu	116,913	57,735	152,754	77,524
Saraj	37,237	27,641	40,096	26,978
Total ...	263,885	330,674	321,452	395,638

GRANT OF LAND TO ZAILDARS OF KANGRA DISTRICT FOR WAR SERVICES.

2522. Chaudhri Ram Singh : (*a*) With reference to the answer given to my question No. 1931,* put on the 20th June 1925, will Government please state if it is not a fact that only three out of the ten zaildars mentioned therein have been granted lands in recognition of their war services, while the remaining seven have been granted land for other services?

(*b*) Is it also a fact that a large number of zaildars in the Kangra district were awarded medals for their war services?

(*c*) If the answers to (*a*) and (*b*) above be in the affirmative, will Government please state why lands were not granted to all such zaildars?

The Honourable Mian Sir Fazl-i-Husain : (*a*) No.

(*b*) Yes.

(*c*) Does not arise.

PRIVATE CANALS AT DIBBAR DHADE KUTWAL.

2523. Chaudhri Ram Singh : (*a*) With reference to the answer to my question No. 2150,† put on the 3rd December 1925, will Government please state whether they have perused the records concerning Dibbar Dhade Kutwal prepared annually ever since the settlement arrived at in 1886?

*Vol. VIII-B, page 1152 and App. VIII, page cxxxvi.
†Vol. VIII-B, page 1376.

If so, will it please state whether the width of heads of the private canals, Jandwal, Budhabar, Thakardawara and Barota mentioned therein is 12 feet or 24 feet?

(*b*) Will it also please state—

(*i*) the increase in the irrigating capacity of the Shah Nehr since the aforesaid settlement;

(*ii*) whether any increase in the irrigating capacity of the Shah Nehr in accordance with the terms of settlement will tend to curtail the width of the heads of the private canals;

(*iii*) the area irrigated by the Shah Nehr before the settlement and after it;

(*iv*) if it is a fact that during the last two years, ever since the introduction of this 12-feet system, owners of the private canals have been objecting to it, and that they have also once made a written representation that the former width of heads as mentioned in the records be restored?

(*c*) If the answers to (*a*) and (*b*) above be in the affirmative, does Government propose to consider the advisability of appointing a committee, including officers of both the districts of Hoshiarpur and Kangra, to inquire into the loss suffered on account of the shortage of water supply caused by obstacles created in the way of the owners of the private canals?

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

TRAMWAY LINE BETWEEN PATHANKOT AND MANDI AND CART ROAD BETWEEN PATHANKOT AND DHARMSALA.

2525. Chaudhri Ram Singh: (*a*) Will Government please state if it is proposed to run a tramway line between Pathankot and Mandi *via* Jawali?

(*b*) If the answer to (*a*) be in the affirmative, will Government please state whether they propose to take steps to maintain in good order the cart road which runs from Pathankot *via* Nurpur, Kotla and Kangra, to Dharmsala?

The Honourable Mian Sir Fazl-i-Husain: (*a*) It is proposed to construct a 2′—6″ gauge railway from Pathankot *via* Jawali, Haripur and Kangra, to Baijnath with an extension to Shanan.

(*b*) There is no present intention to reduce the present standard of maintenance of the Kangra Valley cart road whatever the final alignment selected for the railway line may be.

SANITATION OF ILAQA BACHWAHI.

2526. Chaudhri Ram Singh: Is Government aware of the fact that ilaqa Bachwahi which stretches over tahsil Dasuha, district Hoshiarpur and tahsil Nurpur, district Kangra, is very insanitary? If so, does Government intend taking any steps for the proper care of the health of the people of this ilaqa?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The tract in question is malarious owing to the proximity of the Beas river and lack of natural drainage channels. A scheme for improving the drainage of the area included in Dasuya tahsil is now under the consideration of the Rural Sanitary Board.

HAQ ABPASHI IN DERA GHAZI KHAN DISTRICT.

2528. Shaikh Faiz Muhammad: (a) Will Government kindly state what was the *Haq abpashi* of commanded area on the Dera Ghazi Khan district inundation canals when the land revenue was assessed at the last settlement of the district?

(b) What is the *Haq abpashi* at present?

(c) If there is a decrease, will the Government please state what steps they are going to take to adjust the assessment to the changed conditions of irrigation?

The Honourable Mian Sir Fazl-i-Husain: (a) *Haq abpashi* or intensity of irrigation taken before was as below:—

Kadra Canal 50 per cent. of culturable commanded area.

Nur Dhundi Canal 40 per cent. of culturable commanded area.

Other canals 60 per cent. of culturable commanded area.

(b) *Haq abpashi* or intensity taken now is 45 per cent. on all canals.

(c) The present figure of 45 as *Haq abpashi* is based on the average of actual irrigation on all the canals. With this change a corresponding change has also been made in the "full-supply-factor" which means the area for which one cusec of water is given. The "full-supply-factor" was originally 60 acres but it has now been reduced to 40 acres. The result is that the same amount of water is allowed now as before, for the same area.

LAND RENDERED UNCULTURABLE BY THE INDUS OR THE HILL TORRENTS.

2529. Shaikh Faiz Muhammad: Will Government kindly lay on the table the figures for the last ten years of area *tahsilwar* in the Dera Ghazi Khan district—

(a) eroded or rendered unculturable by the river Indus;

(b) rendered unculturable by hill torrents?

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

IRRIGATION OF LANDS IN VILLAGE FATEHPUR BILOCH.

2531. Chaudhri Sahib Dad Khan: Will the Government please state—

(a) whether it is a fact that the Okhla canal passes through the village Fatehpur Biloch in the Ballabgarh tahsil of the Gurgaon district;

(b) whether it is a fact that this canal does not irrigate the lands of this village;

(c) whether it is a fact that the proprietors of the village have applied that they should be granted a minor or an outlet out of this canal for the irrigation of their lands; and

(d) if so, whether the Government proposes to accede to the request of the proprietors?

The Honourable Mian Sir Fazl-i-Husain: (a) The Agra canal does not pass through the area of Fatehpur Biloch. It passes through the village Dig which is adjacent to Fatehpur Biloch.

(b) Some three or four acres of land of Fatehpur Biloch used to be irrigated up to 1919, but since then no irrigation has been done.

(c) Yes.

(d) The petition has been forwarded to the Government of the United Provinces who administer the canal.

PUNITIVE POLICE POST LOCATED AT VILLAGE CHANDI IN THE ROHTAK DISTRICT.

2532. Chaudhri Sahib Dad Khan: Will the Government be pleased to state—

(a) whether it is a fact that there is a scarcity of fodder and grain in the Rohtak and the Hissar districts;

(b) whether it is a fact that there is punitive police post located at village Chandi in the Rohtak district for the past several years;

(c) whether it is a fact that the people of the village have represented to Government that they are not well off and that they cannot pay the charges of the punitive police post;

(d) whether it is a fact that the villagers have reformed themselves and that there are no valid complaints against them;

(e) if so, does the Government propose to remove the punitive police post from that village?

The Honourable Sir John Maynard: (a) No.

(b) There has been an additional post since 23rd December 1922.

(c) Yes.

(d) No.

(e) No: on the contrary continuance of the additional police post has been sanctioned till 30th June 1926.

REWARD TO GOVERNMENT SERVANTS FOR HONESTY.

2533. Subedar-Major Farman Ali Khan: Will Government please state if any reward is given to its subordinates in every department for their honesty? If so, will Government please state the names of those officers in the Police Department who have been rewarded for their honesty?

The Honourable Sir John Maynard: No rewards are given in any Government department solely for honesty but in selecting Police officers for promotion careful account is taken of their reputations in respect to honesty.

SPECIAL ALLOWANCE TO SUB-INSPECTORS OF POLICE.

2535. Subedar-Major Farman Ali Khan : Will Government please state if any special allowance is given to Constables, Head Constables and Inspectors in police stations of municipal towns and cantonments and in sadr police stations, while no such allowance is given to Sub-Inspectors ? If so, will the Government please state the reasons for this differential treatment ?

The Honourable Sir John Maynard : *Compensatory* allowances are given to *all* subordinates stationed at the headquarters of the following hill stations :—

(1) Murree,
(2) Kasauli,
(3) Dalhousie,
(4) Dharmsala, and
(5) Kulu.

These compensatory allowances are given owing to the high cost of living in these localities, and Sub-Inspectors receive them as well as other Police subordinates.

At the headquarters of Lahore, Amritsar and Rawalpindi, compensatory allowances are given only to Head Constables and Constables, so as to attract the class of men whom it is required to recruit for the Police at these places, where the cost of living is high.

Duty allowances are given to 6 City Inspectors at Lahore, Anarkali, Naulakha, Amritsar, Rawalpindi, and Multan ; 5 Reserve Inspectors at Ambala, Amritsar, Lahore, Multan and Rawalpindi, and 7 Cantonment Inspectors at Ambala, Jullundur, Lahore, Sialkot, Ferozepore, Multan and Rawalpindi. These duty allowances are given for specially responsible and heavy work. It will be seen that Sub-Inspectors are not treated differently from other Police subordinates in regard to the grant of allowances.

ALLOWANCE TO ASSISTANT AND DEPUTY SUPERINTENDENTS OF POLICE, RAWALPINDI.

2536. Subedar-Major Farman Ali Khan : Will Government please state if the Assistant Superintendent of Police, Rawalpindi, gets Rs. 100 as allowance, while the Deputy Superintendent of Police gets no such allowance ? If so, why ?

The Honourable Sir John Maynard : Yes ; but it has been decided that the case of the Assistant Superintendent of Police should not be a precedent ; and the grant will be withdrawn from the next incumbent when a house has been constructed or leased by Government.

2537.—*Cancelled.*

MUSLIMS IN THE PROVINCIAL FOREST SERVICE.

2538. Rana Firoz-ud-Din Khan : (*a*) Is it a fact that there are 33 sanctioned posts of Extra Assistant Conservators of Forests in the Punjab Provincial Forest Service, of which 26 posts have been filled up and 7 are still vacant ?

(b) Is it a fact that out of the 26 posts only 5 are held by Muslims ?

(c) Is it a fact that during the last 15 years about 19 Forest Rangers were promoted to the Provincial Forest Service, and of these, only two were Muslims ?

(d) Is it a fact that in the Subordinate Forest Service there are Muslim Rangers possessing equal and similar, if not better, qualifications to those of others who got promoted to the Provincial Service, but their claims have been overlooked ?

(e) Does the Government propose to consider the question of filling up vacant posts in the Provincial Forest Service in future by promoting deserving Muslim Rangers ?

The Honourable Mian Sir Fazl-i-Husain : (a) The sanctioned scale of Extra Assistant Conservators of Forests is 33. There are at present 24 substantive Extra Assistant Conservators of Forests and 10 probationary Extra Assistant Conservators of Forests.

(b) Of the above 34 officers, 6 are Muslims.

(c) Yes.

(d) No.

(e) In view of (a) above, does not arise.

Rana Firoz-ud-Din Khan : With reference to the answer to part (d) of the question, I want to know to which part the answer 'no' refers, namely, whether it refers to the question whether Muslim Rangers with equal and similar, if not better, qualifications, were not available, or whether their claims were not overlooked.

The Honourable Mian Sir Fazl-i-Husain : The answer given is clear that their claims were not overlooked.

CLASSIFICATION OF CIVIL DISPENSARIES IN THE PUNJAB.

2539. Rana Firoz-ud-Din Khan : (a) Is it a fact that civil dispensaries in the Punjab are not classified according to their size and importance ?

(b) Is it a fact that under the present system a number of Senior Sub-Assistant Surgeons are posted to small dispensaries, while junior men are holding charge of important dispensaries ?

(c) Is the Government aware that the existing practice is causing much discontent among the Senior Sub-Assistant Surgeons ?

(d) Does the Government propose to consider the desirability of classifying the civil dispensaries according to their size and importance and of posting the Sub-Assistant Surgeons of various grades to such dispensaries according to their grades and qualifications ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) Yes.

(b) Yes.

(c) No.

[Hon'ble Rai Sahib Chaudhri Chhotu Ram.]

(d) No. Sub-Assistant Surgeons are ordinarily posted to dispensaries which their seniority and qualifications entitle them to. It is only for special reasons that Senior Sub-Assistant Surgeons are posted to small dispensaries.

BORING FEES.

2540. Rana Firoz-ud-Din Khan: (a) Is it a fact that the Agriculture Department originally charged no boring fee from agriculturists beyond actual expenses and price of pipes used and in case of the experiment proving unsuccessful the pipes were taken out and their price was not charged for?

(b) Is it a fact that in other provinces no boring fee is charged?

(c) Is it a fact that the Department of Agriculture has for some time past been charging a boring fee of Rs. 50 in advance from agriculturists and also applying to them for assistance?

(d) If so, is the Government aware that this practice has greatly discouraged the agriculturists in the matter of boring wells for agricultural purposes?

(e) Is it a fact that the Department of Agriculture supplies its own pipes charging the price at higher rates than those prevailing in the market?

(f) Has the Government any objection to abolishing boring fee and offering free advice to agriculturists and directing that the price of pipe be charged at market rates?

The Honourable Sardar Jogendra Singh: (a) Yes.

(b) Enquiry is being made from other provinces.

(c) The Agricultural Department charges a fee of Rs. 50 per successful boring, after completion of the work and not in advance.

(d) No. Government is not aware that the agriculturists are discouraged by the charge of this boring fee. At present wells are bored at considerably less than cost price and the numerous applications for well borings show a demand that is the reverse of discouragement.

(e) The pipes supplied by the Department are obtained direct from England and are supplied to the well owners at cost price, delivered at the well. In recent years owing to the drop in the market rates for pipes it has frequently happened that the Department had in stock a quantity of pipes which were purchased at a price higher than the current market rate for the same pipe, and frequently Government has reduced the rate to be charged for these pipes and sustained an actual loss on the supply. The quality of pipes supplied by the Department is the best obtainable, whereas the stock of cheaper pipes in many of the towns in the Punjab are of a lighter make and less durable than those supplied by Government.

(f) The fee is charged to cover costs, and the whole question will be considered in connection with the problem of promoting and organizing lift irrigation which is at present engaging the attention of the Ministry of Agriculture.

BIR CHHUCHAKWAS IN THE ROHTAK DISTRICT.

2541. Rana Firoz-ud-Din Khan: (*i*) Is it a fact—

(*a*) that there is a large tract of State-owned land in Rohtak district known as Bir Chhuchakwas;

(*b*) that during and after the recent great war a considerable portion of this tract was given to several grantees, thus reducing the area now in Government possession to about 1,400 acres;

(*c*) that there are no pasture lands in the villages surrounding this tract, and that the villages situate in the area of about 15 miles diameter wholly depend upon this tract for the grazing of their cattle;

(*d*) that some years ago there was a proposal to further reduce this area of 1,400 acres, but Mr. Ferguson, the then Deputy Commissioner, on representations by the bordering villages and after making exhaustive local enquiries, dropped the scheme and finally decided not to further reduce the area;

(*e*) that the District Board, Rohtak, has, with the approval of the Deputy Commissioner, now proposed to reserve out of the said Bir about 500 acres for the purposes of a cattle farm;

(*f*) that the inhabitants of the villages bordering the said tract have made representations protesting against the proposal; and

(*g*) that the area proposed for the cattle farm does not lie at one end of the tract, but runs in the middle, dividing the tract into three parts?

(*ii*) Is the Government aware that in the said tract there is a large tank from which numerous cattle of surrounding villages drink water, and that the proposed cattle farm is likely to damage the water supply and thereby cause a great hardship to the people?

(*iii*) If so, will the Government be pleased to have thorough enquiries made about local conditions and necessities before according sanction to the proposed scheme?

The Honourable Mian Sir Fazl-i-Husain: (*i*) (*a*) (*b*) Yes.

(*i*) (*c*) (*d*) (*e*) (*f*) (*g*), (*ii*) and (*iii*)—Proposals have been made by the Deputy Commissioner to Government for the lease of a portion of Bir Chhuchakwas to the district board with the object of enabling that body to encourage the breeding of Hariana bulls. These proposals have not been approved by the Department of Agriculture and the lease has not been sanctioned.

ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES, SIALKOT.

2542. Chaudhri Afzal Haq: (*a*) Is the Government aware that the Assistant Registrar of Co-operative Societies, Sialkot Circle, though not a member of the Central Co-operative Banks in his circle, presides over their committee meetings in many instances?

[Chaudhri Afzal Haq.]

(b) If so, will the Government be pleased to say whether it is the function of the Assistant Registrar merely to offer advice to such institutions or whether it is his function also to take part in the management of those institutions and preside over their business meetings even though he is not a member of those institutions?

(c) If the latter, will the Government be pleased to say whether it is their intention that these institutions should not be self-contained and self-governed?

The Honourable Sardar Jogendra Singh: (a) Only one instance is known to Government; the officer was requested by all present to preside.

(b) The duty of a co-operative officer is to supervise and advise, in addition to his legal duties.

(c) Does not arise.

Chaudhri Afzal Haq: Is it a fact that the officer who presided at the meeting was not a member of the union?

The Honourable Sardar Jogendra Singh: I don't know.

Chaudhri Afzal Haq: Will the Government be pleased to state whether the officer was directed that he should not preside at the meetings in future?

The Honourable Sardar Jogendra Singh: I want notice.

MUSLIM REPRESENTATION IN THE FOREST SERVICE.

2543. Chaudhri Afzal Haq: (a) Is it a fact that in the Imperial Forest Service Muslims hold only 8 per cent. of the posts and in the Provincial Forest Service, Muslims constitute only 18 per cent. and in the Forest Ranger cadre, 27 per cent. only are Muslims?

(b) If the answer to (a) is in the affirmative, will the Government be pleased to say the reason for this paucity of Muslims in this department?

(c) Will the Government please state whether they intend making up the deficiency of Muslims in the department while making future promotions or appointments?

The Honourable Mian Sir Fazl-i-Husain: (a) The percentages may be taken as approximately correct.

(b) Muslims have not in the past and do not in the present come forward for employment in the Forest Department in as large numbers as members of other communities. There is no discrimination against Muslims as such.

(c) In view of (b), does not arise.

ACCIDENTS IN THE PUNJAB FACTORIES.

2544. Chaudhri Afzal Haq: (a) Is it a fact that more than two hundred accidents are reported to have occurred in the year 1924 in the Punjab factories?

(b) If so, will the Government be pleased to state (i) the result of enquiry made by the Director of Industries, Punjab, in this respect;

(*ii*) the steps, if any, the Government have taken to improve the safety devices;

(*iii*) whether the views of the Labour Union were taken in the matter of remedies for minimising the number of accidents and if not, why not?

The Honourable Sardar Jogendra Singh: (*i*) & (*ii*) The honourable member is referred to statement No. VI appended to the Annual Report on the working of the Indian Factories Act in the Punjab for the year 1924. Enquiries show that the greater part of the increase in the number of accidents, as compared with 1923, is due to the more exact reporting of minor accidents. The remainder of the increase is consistent with the increase in the number of factories and of operatives employed. The accidents are attributable mainly to carelessness on the part of operatives. and to the bad state into which factory owners allow their machinery and belting to degenerate and not to lack of safety devices.

(*iii*) No Labour Union made any suggestions.

Chaudhri Afzal Haq: Were the Labour Unions invited to offer suggestions?

The Honourable Sardar Jogendra Singh: No.

Chaudhri Afzal Haq: Why not?

The Honourable Sardar Jogendra Singh: That is argumentative.

RIGHTS OF ZAMINDARS IN CONNECTION WITH FISHERIES ACT.

2545. Chaudhri Afzal Haq: With reference to paragraph 7 on page 4 of the Annual Report on the Department of Fisheries, 1924-25, will the Government be pleased to state—

(*a*) whether before deciding the question of the rights of zamindars in connection with the Fisheries Act, they will consult the views of zamindars concerned; and

(*b*) if it is not proposed to consult the zamindars concerned, whether the Government will, before making a final declaration of their policy, give an opportunity for the zamindar members of the Council to express their views on the subject?

The Honourable Sardar Jogendra Singh: (*a*) As indicated in paragraph 3 of the Review of the Annual Report of the Fisheries Department for 1924-25 each case of dispute has to be decided on its merits. In forming his opinion, the Deputy Commissioner naturally ascertains the views of the zamindars concerned.

(*b*) Does not arise.

NAHRI VILLAGES IN THE KARNAL DISTRICT AND LAND REVENUE ASSESSMENT.

2546. Chaudhri Duli Chand: (*a*) Will Government be pleased to state if the villages of Tarori, Pakhana, Sonkara, Narana, etc., in the Karnal district have been classed as *nahri* for purposes of land revenue assessment?

[Chaudhri Duli Chand.]

(b) Is it a fact that no canal water is supplied to these villages?

(c) Is it a fact that the zamindars of these villages have approached the Canal authorities several times in the matter?

(d) If so, what action have they taken in the matter?

(e) Do Government propose to complete the excavation of a *rajbaha* from Indri to Chutang to supply water to these villages?

(f) If the answer to (e) is in the negative, have Government any objection to remit that portion of land revenue which is due from these zamindars simply on account of their land being classed as nahri? If so, what?

The Honourable Mian Sir Fazl-i-Husain: The matter has been referred to the local officers for report, which has not yet been received. An answer will be communicated to the honourable member when ready.

APPOINTMENT OF MINORS AS LAMBARDARS.

2547. Chaudhri Duli Chand: (a) Is Government aware that even minors are called personally to attend tahsil headquarters offices for appointment as lambardars in place of their deceased lambardar fathers?

(b) Is Government aware also of the fact that in most cases these minors have to be accompanied by their mothers to tahsil headquarters?

(c) If the answers to (a) and (b) are in the affirmative, does Government propose to issue instructions to tahsildars to the effect that minors should not be called to tahsil headquarters for lambardari appointments, but that tahsildars may deal with such cases at the time of their tour to the villages of such minors?

The Honourable Mian Sir Fazl-i-Husain: (a) Yes. Minors are sometimes called personally to attend tahsil headquarters.

(b) No.

(c) Does not arise.

Chaudhri Duli Chand: With reference to the answer to part (a), will the Government consider my suggestion?

The Honourable Mian Sir Fazl-i-Husain: The suggestion as a matter of fact has already been considered when framing the reply to the question.

Chaudhri Duli Chand: With reference to the answer to part (b), will the Government make enquiries as to whether this is the practice?

The Honourable Mian Sir Fazl-i-Husain: Government has certain knowledge of the practice to which reference is made in clause (b) of the question. On the basis of that knowledge it does not think it necessary to make further enquiries.

Chaudhri Duli Chand: Is it not a source of trouble to the mothers?

The Honourable Mian Sir Fazl-i-Husain: That ought to be avoided as far as possible.

DISTRICT CORRUPTION COMMITTEE FOR THE KARNAL DISTRICT

2548. **Chaudhri Duli Chand :** (*a*) Will Government kindly state if there is any separate district corruption committee for the Karnal district ?

(*b*) If there is one, will Government kindly give the names of its members and the number of meetings they have held during the current financial year ?

(*c*) If there is no such committee, does Government propose to establish a corruption committee for the district ?

(*d*) If not, is Government prepared to recognise such a committee proposed to be constituted as a result of private enterprise consisting of the following representatives of the Karnal district :—

(*i*) Chaudhri Duli Chand, M.L.C. ; (*ii*) Khan Sahib Chaudhri Muhammad Shafi Ali Khan, M.L.C. ; (*iii*) Sardar Gurbakhsh Singh, M.L.C. ; (*iv*) Lala Banke Rai, M.L.C. ; and (*v*) Rana Firoz-ud-Din Khan, M.L.C.

The Honourable Sir John Maynard : The honourable member is referred to paragraph 14 of the orders, of Government passed on the report of Mr. King's Committee. In those orders for reasons there stated Government disapproved of the formation of local standing corruption committees.

Chaudhri Duli Chand : How does Government propose to mitigate corruption ?

The Honourable Sir John Maynard : That appears to be an argument and not a question.

Chaudhri Duli Chand : Will Government kindly state if they are anxious at all to mitigate corruption ?

The Honourable Sir John Maynard : That does not appear to be a question on a matter of fact, but an argument.

CANDIDATES FOR THE POSTS OF HEAD VERNACULAR CLERKS AND HEAD TREASURY CLERKS.

2549. **Chaudhri Duli Chand :** (*a*) Is it a fact that in 1922 on the memorials of clerical establishment, the Punjab Government issued a circular letter to Financial Commissioner, Commissioners and Deputy Commissioners of the province, instructing them to select candidates for the posts of Head Vernacular clerks and Head Treasury clerks from the district and divisional clerical establishment instead of from naib-tahsildars ?

(*b*) Is it also a fact that in pursuance of that letter the Financial Commissioners issued correction slip No. 528-S. O. (New Series), dated 30th January 1923, to paragraph 27 of their Standing Order No. 44, which runs as follows :—

"The candidates selected should be taken from the District and Divisional clerical establishment."

[Chaudhri Duli Chand.]

(c) If so, have the names of naib-tahsildars been removed from the lists of candidates for the said posts or are they still being retained in the lists? If the latter, is it a fact that the naib-tahsildars being senior candidates will be given preference over the clerks who are also candidates for the posts of Head Vernacular clerks and Head Treasury clerks?

(d) If the answer to the latter part of (c) is in the affirmative, is it a fact that the candidates selected from the clerical staff cannot be expected to be benefited by the circular letter for some years to come?

(e) If the answer to (d) is in the affirmative, will the Government please state how they propose to give early effect to their circular letter?

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

(b) Yes.

(c) Both parts 'yes'.

(d) There may be delay in some cases.

(e) Government do not propose to take any further action in the matter. It would be unjust to persons, whose names have been on the register for some years, to remove their names because the policy of Government has changed.

LOANS UNDER THE PUNJAB INDUSTRIAL LOANS ACT.

2550. Chaudhri Afzal Haq: (a) With reference to paragraph 13 (page 9) of the report on the working of the Department of Industries for the year ending the 31st March 1925, will the Government be pleased to say why no loan has been granted under the Punjab Industrial Loans Act?

(b) Will the Government please state whether any loan was made after the 31st March 1925?

The Honourable Sardar Jogendra Singh: (a) The honourable member is referred to the answer given on 8th May 1925 to question No. 1881* in the May Session of the Punjab Legislative Council.

(b) No loan has been granted since the 31st of March 1925.

EMPLOYMENT OF MUSLIMS IN GOVERNMENT SERVICE.

2551. Chaudhri Afzal Haq: (a) Has the attention of Government been drawn to a very recent *Communiqué* of the Bengal Government announcing that it is considering the desirability of giving 45 per cent. of posts to the Muslims in all the Government departments?

(b) If so, will the Government be pleased to say whether it is also considering the desirability of giving 45 per cent. of posts in Government departments to Muslims?

(c) If not, will the Government be pleased to say—

(i) whether the Muslim community is already holding more than 45 per cent. of posts in all the Government departments;

(ii) whether suitable Muslim candidates are not forthcoming for the Government posts; and

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*Vol. VIII-A, page 1125.

(*iii*) whether the time has not come to give a reasonable share to the Muslim community in Government services ?

The Honourable Sir John Maynard : (*a*) No.

(*b*) Does not arise.

(*c*) The honourable member is referred to the answer given to questions Nos. 1961—1975* in the December session of the Council.

ADMINISTRATION OF THE COLONY AREAS.

2552. Chaudhri Afzal Haq : (*a*) With reference to para. 8 (page 7) of the Annual Report on the Punjab Colonies for the year ending the 30th September 1924, will the Government be pleased to say what action was taken on the remarks of His Excellency the Governor to improve the administration of the colony area ?

(*b*) Will the Government also please state whether the objections taken by His Excellency have since been removed ?

The Honourable Mian Sir Fazl-i-Husain : (*a*) & (*b*) The whole question is a very large and important one, and is receiving the careful attention of Government in consultation with the local officers in the Colonies.

MUSLIM SUB-REGISTRARS IN THE JULLUNDUR DIVISION.

2553. Chaudhri Afzal Haq : (*a*) Is it a fact that there are very few Muslim Sub-Registrars in the Jullundur Division ?

(*b*) If so, will the Government be pleased to state whether they are considering the advisability of making up the deficiency in the forthcoming appointments ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*a*) Three out of 22 Sub-Registrars in the Jullundur Division are Muslims.

(*b*) The claims of Muslim candidates for appointment will be considered on their merits when vacancies occur.

ESTABLISHMENT IN THE OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES.

2554. Chaudhri Afzal Haq : Will the Government be pleased to lay on the table a statement showing the number of Muslim and non-Muslim clerks and candidates, respectively, employed in the office of the Registrar of Co-operative Societies, giving also the emoluments drawn by each ?

The Honourable Sardar Jogendra Singh : The statement showing the information is laid on the table.

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*Vol. VIII-B, pages 1167—1181 and Appendix VIII, page cxli.

[Hon'ble Sardar Jogendra Singh.]

Statement showing the number of Muslim and non-Muslim clerks and candidates in the office of Registrar, Co-operative Societies, Punjab, Lahore.

Number of Muslim clerks.	Pay of each.	Number of non-Muslim clerks.					
		Hindus.	Pay of each.	Sikhs.	Pay of each.	Christians.	Pay of each.
	Rs.		Rs.		Rs.		Rs.
7	162	9	200	1	80	3	300
	124		106				75
	118		80				75
	112		50				
	75		48				
	60		48				
	42		40				
			40				
			40				

There are five accepted candidates. Three are Muhammadans and two Hindus.

APPOINTMENT OF AN INDIAN REGISTRAR OF CO-OPERATIVE SOCIETIES.

2555. Chaudhri Afzal Haq : (*a*) Is Government aware that in several other povinces of India, Indian Registrars of Co-operative Societies have been appointed ?

(*b*) Will the Government be pleased to say whether they are considering the advisability of appointing an Indian Registrar of Co-operative Societies in this province ?

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

(*b*) If and when a vacancy occurs as Registrar of Co-operative Societies, Government intends to appoint the best man available for the post, irrespective of his nationality.

PUNJAB ADMINISTRATION REPORT, 1923-24.

2556. Chaudhri Afzal Haq : With reference to the following sentence in the Punjab Administration Report, 1923-24, page 20, paragraph 33 :—

"The attack upon the prison administration had been engineered with the object of bringing discredit upon the Government and of weakening its determination to enforce the law."

Will the Government be pleased to say what reason they had to come to the conclusion that the attack upon the prison administration had been engineered with the above-mentioned object ?

The Honourable Sir John Maynard: The same sentence appears in paragraph 8 of the Government review of the Jail Administration for the year 1923, where the reasons for this conclusion may also be found.

AVOIDANCE OF THE APPOINTMENT OF WALI MUHAMMAD AS HEADMASTER OF A PROVINCIALISED HIGH SCHOOL.

2557. Chaudhri Afzal Haq: (*a*) Will the Government be pleased to say the number of District Board High Schools in the Jullundur Division and also the number of Muslim Headmasters in the said high schools?

(*b*) Is it a fact that Wali Muhammad, B.A., B.T., who is now posted to the District Board High School, Raikot, as Headmaster, was posted to Rahon District Board High School originally and was transferred to Hamira District Board High School as soon as Rahon School was provincialised?

(*c*) Is it a fact that Wali Muhammad was again transferred to a third District Board High School when Hamira District Board High School was provincialised?

(*d*) Is it a fact that he was again transferred to Raikot when the third District Board High School was provincialised?

(*e*) Is it a fact that some non-Muslims were made Headmasters of those high schools, which were provincialised?

(*f*) If so, will the Government be pleased to say why Wali Muhammad, B.A., B.T., was not given a chance to work as Headmaster in one of the provincialised high schools?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (*a*) (*i*) Seven D. B. High Schools; (*ii*) two Muslim Headmasters.

(*b*) M. Wali Muhammad was provisionally appointed at Rahon when the school was provincialised, but was transferred to a District Board School some two months later, as he proved unsuitable for Government service.

(*c*) No.

(*d*) He was transferred to Raikot on the provincialisation of the Hamirpur School.

(*e*) Yes.

(*f*) M. Wali Muhammad was, as explained, considered unsuitable for service in a Government school.

UNIVERSAL FRANCHISE.

2558. Chaudhri Afzal Haq: (*a*) Will the Government be pleased to say whether they are considering the desirability of taking necessary steps to introduce universal franchise before the next elections to the legislatures take place?

[Chaudhri Afzal Haq.]

(b) Did the Government of India ask for the opinions of the provincial Governments on the question of universal franchise? If so, what was the opinion given by the Punjab Government?

The Honourable Sir John Maynard: (a) No.

(b) No.

RATE OF LAND REVENUE ON CHAHI LANDS.

2559. Chaudhri Afzal Haq: (a) Is it a fact that the water rate is charged by Government because the land is irrigated by the water of canals constructed at State expense?

(b) Will the Government be pleased to say why higher rate of land revenue is charged on Chahi lands than the rate charged on Barani lands?

(c) Whether the Government is considering the advisability of charging the land revenue on Chahi lands at Barani rates?

The Honourable Mian Sir Fazl-i-Husain: (a) No.

(b) Because the net assets of Chahi lands are usually greater than the net assets of Barani lands.

(c) No.

TAKING OF FISH AS BEGAR.

2560. Chaudhri Afzal Haq: (a) With reference to the annual report on the Department of Fisheries, Punjab, for the year 1924-25, page 3, will the Government be pleased to say whether they have since issued any instruction to their officers not to take fish in begar as complained in the report?

(b) If so, will the Government be pleased to lay the instruction on the table?

The Honourable Sardar Jogendra Singh: (a) No, but the general orders prohibiting the taking of supplies of any kind without payment apply, of course, to fish also.

(b) Does not arise.

ALLOTMENT OF FUNDS FOR THE CO-OPERATIVE DEPARTMENT.

2561. Chaudhri Afzal Haq: (a) Is it a fact that the whole co-operative department of the province is carried on at a cost of 4¾ lakhs a year to Government?

(b) Will the Government be pleased to say whether they are considering the advisability of allotting double the amount for this department for next year?

(c) Does the Government propose to set apart an appreciable sum for the maintenance of a propaganda staff whose duty will be only to tour in rural areas and to impress upon the people the principles and advantages of co-operative movement ?

The Honourable Sardar Jogendra Singh: (a) 4¾ lakhs was the cost in 1923-24.

(b) Rupees 7,30,000 is being provided for 1926-27.

(c) Yes.

RECONSTITUTION OF THE SENATE OF THE PUNJAB UNIVERSITY.

2562. Chaudhri Afzal Haq: (a) Is it a fact that the proposals of the University for the reconstitution of the Senate have been received by Government ?

(b) If so, will the Government be pleased to say whether these proposals will come up for consideration before this Council ?

(c) If the answer to (b) is in the affirmative, when does the Government propose to lay these proposals before the Council for consideration ?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) Yes.

(b) & (c) The matter is still under consideration.

PLATFORM IN THE LUDHIANA DISTRICT COURT FOR MUHAMMADANS TO OFFER PRAYERS.

2563. Chaudhri Afzal Haq: (a) Is it a fact that for the past 50 years or so a raised platform has been used by the Muhammadans for saying prayers in the Ludhiana District Courts ?

(b) Is it further a fact that several years thereafter, under the orders of the District Magistrate, Ludhiana, the Muslim community constructed a wall round that platform at their own cost ?

(c) Is it further a fact that that wall has now been ordered to be demolished ?

(d) Is the Government aware that this order has caused an agitation in the town ?

(e) Is it a fact that the District Magistrate has, under section 144, Criminal Procedure Code, placed restrictions on the speech of Maulvi Habib-ur-Rahman, a Khilafat leader at Ludhiana ?

(f) If so, will the Government be pleased to state—

(i) the reasons for issuing orders for the demolition of the four walls round the platform mentioned in part (a) ;

(ii) whether they are considering the advisability of withholding that order ; and

(iii) whether the local Government was consulted before the issue of this order ?

[Chaudhri Afzal Haq.]

(g) If the answer to part (f) (iii) of the question is in the affirmative, will the Government be pleased to say whether they consulted any Muslim religious authority before the issue of this order?

The Honourable Mian Sir Fazl-i-Husain: (a) The platform has, it is understood, been used for many years by the Muhammadan clerks of the Deputy Commissioner's office.

(b) & (c) In 1925 a case was reported in which persons had walked on the platform with shoes on At the request of local Muhammadans the Deputy Commissioner allowed them to construct a wall on all sides of the platform, subject to certain conditions. On this being reported to Government, the latter, in view of the fact that the land was State property, considered it advisable that the wall should be demolished and the necessary steps taken to protect the platform by a fence erected by Government itself. This is now being done.

(d) No.

(e) Yes, for one month because he proposed to make speeches on a platform only intended for prayers, and the speeches were likely to lead to a breach of the peace.

(f) (i) See the answer to parts (b) and (c).

(ii) No.

(iii) Yes.

(g) No.

2564—2601.—*Cancelled.*

LANDED PROPERTY IN THE POSSESSION OF THE MAHANT AT GOLI.

2602. Chaudhri Duli Chand: Will Government please state how much of the landed property in the possession of the Mahant at Goli in the Karnal district is held by him as a public trust according to revenue records?

The Honourable Mian Sir Fazl-i-Husain: It does not appear to be fair and just to all the parties concerned for Government to make a statement as to the interpretation to be put on a revenue record entry.

2603.—*Cancelled.*

PROPORTION OF INDIANS TO EUROPEANS IN THE INDIAN ENGINEERING SERVICE.

2604. Dr. Gokul Chand, Narang: (a) Will the Government please state the proportion of Indians to Europeans in the Indian Service of Engineering in the various grades, *e.g.*, Superintending Engineers, Executive Engineers and Sub-Divisional Officers in the Punjab Irrigation Department?

(*b*) How many Indians referred to above have served in the past during the construction of the present running canals in the Punjab, as—

(*i*) Superintending Engineers in charge of circles containing head-works divisions ;

(*ii*) Executive Engineers in charge of head-works divisions ; and

(*iii*) Sub-Divisional Officers on head-works divisions ?

(*c*) How many Indians among those mentioned in (*a*) are now serving in the construction of the Sutlej Valley Canals, as—

(*i*) Superintending Engineers in charge of circles containing head-works divisions ;

(*ii*) Executive Engineers in charge of head-works divisions ; and

(*iii*) Sub-Divisional Officers on head-works divisions ?

(*d*) Of the Sub-Divisional Officers mentioned in (*b*) (*iii*) and (*c*) (*iii*), how many have held important charges of constructing the masonry works on the head-works ?

The Honourable Mian Sir Fazl-i-Husain : (*a*) Proportions of Indians to Europeans in Indian Service of Engineers in grades of—

Superintending Engineers, Permanent ...	1 : 2·3
Executive Engineers and Officiating Superintending Engineers	1 : 2·9
Assistant Executive Engineers	2·2 : 1

(*b*) (*i*), (*ii*) & (*iii*) No record is maintained in the Irrigation Secretariat from which the information asked for can be supplied.

(*c*) (*i*) None.

(*ii*) None.

(*iii*) Four.

(*d*) (*b*) (*iii*) Does not arise.

(*c*) (*iii*) None.

SUB-DIVISIONAL OFFICERS ON THE SULEIMANKE HEAD-WORKS OF THE SUTLEJ VALLEY PROJECT.

2605. Dr. Gokul Chand, Narang : (*i*) (*a*) Is it a fact that on the Suleimanke head-works of the Sutlej Valley Project, three Sub-Divisional Officers out of five have at all periods been Indians and the head-works have been successfully completed ?

(*b*) If so, have the Government considered the advisability of employing more Indians in the various grades as Sub-Divisional Officers, Executive Engineers and Superintending Engineers on all head-works of important places with a view to train them for higher responsibilities ?

[Dr. Gokul Chand, Narang.]

(c) If the reply to (b) above is in the affirmative, what immediate steps do Government intend to take in the matter?

(ii) If the reply to (i) (a) is in the affirmative, will the Government please state whether it proposes to employ suitable number of Indians on the other head-works under construction?

The Honourable Mian Sir Fazl-i-Husain: (i) (a) The reply to the first portion is in the affirmative, for the second portion the reply is that the Suleimanke head-works are not completed yet.

(b) (c) & (ii). Indianisation of the service, in course of time, is expected to afford equal opportunities of holding important posts to all the members of the service, and the interests of Indians and non-Indians in the service will be borne in mind with regard to the best interests of the people whom the service is designed to serve.

INDIANS OF SUPERIOR SERVICE IN HEAD-WORKS DIVISIONS AND SUB-DIVISIONS ON RUNNING CANALS.

2606. Dr. Gokul Chand, Narang: (a) Will the Government please state how many Indians of the superior service have so far been in charge of—

(i) Head-works Divisions, and

(ii) Head-works Sub-Divisions on the running canals during their maintenance?

(b) Has the Government considered the advisability of putting Indians of superior service in larger numbers in charge of places mentioned in (a) (i) and (ii)?

(c) If the reply to (b) above is in the affirmative, what immediate steps do Government intend to take in the matter?

The Honourable Mian Sir Fazl-i-Husain: (a) (i) & (ii). The information asked for is not available.

(b) No. Having regard to the importance of the posts the most suitable officer are appointed to them, irrespective of race or creed.

(c) Does not arise.

Mr. President: In regard to supplementary questions, I wish to acquaint the honourable members of this House that according to the strict parliamentary practice no supplementary questions can be based on written answers. In other words, supplementary questions can be asked only on oral answers. But as the practice of this House is to print the answers to questions beforehand and circulate them in a pamphlet form, unless the present practice is changed, supplementary questions can be based on the answers read and not on the answer laid on the table. I was under the impression that when the honourable member, Mian Abdul Aziz, wanted to put a supplementar question he referred to question No. 2199 to which no answer is ready yet. However, if he meant to ask a supplementary question to that question my ruling was correct and no supplementary question could be possibly put. But if he meant to ask a supplementary question with regard to question No. 2500; and if the answer to that question was read then he may ask a supplementary question now.

Mian Abdul Aziz: With your permission, Sir, I may submit that I had no opportunity at that time to explain myself as to what I wanted to say. On the last occasion you were pleased.....

Mr. President: The only question with regard to which the honourable member can ask a supplementary question is the one the answer to which was read in the House.

Mian Abdul Aziz: Sir, sometimes answers are not given in these pamphlets and it is printed that the answer is not ready, but the answers are read out in this House by the honourable member.

Mr. President: Has the honourable member any supplementary question to ask in regard to question No. 2509?

Mian Abdul Aziz: No, Sir.

RESOLUTIONS.

RESOLUTION RE: SLAUGHTER OF CATTLE.

Rai Sahib Lala Ganga Ram [Ambala *cum* Simla (Non-Muhammadan), Rural]: Sir, I beg to move:

"This Council recommends to the Governor in Council—

(*a*) that rules be at once so framed and enforced in all local areas as to make punishable with fine extending to Rs. 200 the slaughter of—

(*i*) all pregnant and milch cattle—milch cattle meaning cattle that are actually in milk or are capable of bearing calf;

(*ii*) all cows, bulls, bullocks, buffaloes, draught and plough-cattle under the age of 12 years;

(*b*) that the existing laws relating to the slaughter of cattle be so altered as to give effect to the resolution provided that no part of this resolution shall extend to sacrifice of cattle required by the Muhammadans in connection with *Id*."

(Urdu): Sir my object in bringing up this resolution before the Council is to invite the attention of the House to the fact that the number of cattle and the supply of milk and ghee in this province are inadequate. This can clearly be shown by a comparison of the proportion of cattle to the population in India with that in other agricultural countries of the world. Sir, while the number of cattle per 100 population in India is only 59, it is 74 in Denmark, 79 in the United States of America, 80 in Canada, 120 in Cape Colony, 150 in New Zealand, 259 in Australia and 323 in the Argentine Republic. The number of bulls and bullocks is also not sufficient to bring properly under cultivation the arable land of the country. It is estimated that a pair of Indian plough-cattle can till during the season about 5 acres and the cultivated area in British India is about 228 million acres and the total number of plough-cattle is about 24 million, that is to say, a pair of cattle has to till about 19 acres. This means that we are greatly short of plough-cattle and I think this in a large measure accounts for the poor outturn of crops of our country. The number of milch cattle is also scarcely enough to supply a fair quantity of milk to the present population of India. The present supply of milk is estimated at ½ pint per head, while the need is much more than that. This

[Rai Sahib Lala Ganga Ram.]

deficiency in supply is made up by importing condensed milk and vegetable-ghee. In 1903-04 condensed milk was imported to an extent of about four million pounds and in 1921-22 the figures rose up to nine millions and this is a flagrant proof of inadequate supply of milk and ghee in India. There is no doubt that prices of all the commodities have risen all round, but the rise in price of milk is abnormal. Moreover the infant mortality in India is appalling, being nearly double that of the United Kingdom, Denmark and Japan, about three times that of Norway and Sweden, about five times that of Holland and the United States of America and nearly nine times that of New Zealand. Of the 26 per cent. of deaths of infants under one year which take place in India, most are from preventable causes, especially from mal-nutrition and it is quite evident that by cheapening the price of milk so as to bring it within the reach of poorer classes more benefit would accrue.

Sir, in support of my resolution I beg leave to quote a few official and non-official authorities:—

(1) The considered opinion of the committee appointed recently by the Government of Bombay to consider the question of the maintenance and improvement of the existing cattle-breeds of the Bombay Presidency was: "To safeguard the supply of good milk-cattle it is essential to take steps to reduce their slaughter".

(2) In the meeting of the United Provinces Cattle-Breeding Committee, held on the 17th February 1923, "The committee strongly objected to indiscriminate slaughter. They recommended that rules be framed to protect efficient cattle being slaughtered."

(3) Mr. Isa Tweed, the renowned author of Cow-keeping in India, has observed: "It is a great loss to the country and a crime to allow good cows to go to the butchers."

(4) Dr. Harold H. Mann, D. Sc., Director of Agriculture, Bombay, thus observed: "I think very strongly that the slaughter of milk animals in Bombay and other large cities is endangering the future supply of the best milking strains in the country and that the matter demands early and vigorous action."

(5) Col. M. C. Taggert, Sanitary Commissioner of the United Provinces, says: "By cheapening the price of milk so as to bring it within the reach of poorer classes more would be effected towards reducing infantile mortality than the presence of any number of trained Dais."

I submit, Sir, that the indiscriminate slaughter of cattle which is taking place without any check and control requires our immediate attention. It has been ascertained that in India about 10 million cattle are annually slaughtered, namely, about a million for the Burma meat trade, 5 millions for hides and skins, one million for the Army and 3 millions for the civil population. If things continue, as they are now-a-days, and if we do not care to see to its remedy it will soon be too late to solve the problem.

Sir, I am not moving this resolution from any religious or communal point of view but I have moved it purely with an economical view point. It does not interfere with the Muhammadan discretion of the slaughter of cattle for sacrificial purposes. It simply seeks to penalise the harmful

economic waste that is involved in the unnecessary destruction of highly useful cattle. I hope, Sir, my resolution will be treated in the spirit in which it has been brought up before the House as inadequate supply of milk and ghee and decrease in the number of cattle affects equally all Hindu, Sikh, Muslim and Christian communities. The inadequacy of supply is generally due to the indiscriminate slaughter of prime cattle and some steps must be taken in this direction. In conclusion, I beg to say that if you really feel the infant mortality, which is due to lack of proper nutrition, and inadequacy of milk and ghee and also decrease in number of prime plough-cattle, which is due to the indiscriminate slaughter of the cattle, you will certainly think it wise and expedient to put a check with regard to the indiscrimination which is observed in slaughtering of the cattle in India. With these words I commend this resolution to the House for its acceptance.

Mr. President : The resolution moved runs :

"This Council recommends to the Governor in Council—

(*a*) that rules be at once so framed and enforced in all local areas as to make punishable with fine extending to Rs. 200 the slaughter of—

(*i*) all pregnant and milch cattle, milch cattle meaning cattle that are actually in milk or are capable of bearing calf ;

(*ii*) all cows, bulls, bullocks, buffaloes, draught and plough-cattle under the age of 12 years ;

(*b*) that the existing laws relating to the slaughter of cattle be so altered as to give effect to the resolution provided that no part of this resolution shall extend to sacrifice of cattle required by the Muhammadans in connection with *Id*".

The question is that that resolution be adopted.

Chaudhri Afzal Haq (Hoshiarpur-*cum*-Ludhiana, Rural) (Urdu) : Sir, the question before the House is a very serious one and as such it requires a very careful consideration at our hands. It is on the one hand intimately concerned with the religious susceptibilities of one community and on the other hand with custom and practice of other community. The latter considers cow slaughter to be a religious obligation. Now, Sir, leaving aside this aspect of the question, I would consider the arguments advanced by the honourable mover in favour of his resolution. He remarks in the first place that the scarcity of milk and the decrease in the number of milch cows is mainly due to the cow slaughter. This argument has no force at all. The fact is that the old and useless cattle are a sort of burden on the resources of the country and the sooner we throw it off the better. It is better to do away with useless and old cattle and devote all our attention to the cattle breeding than to keep the useless and old cattle taxing our resources. In the second place, the honourable mover of the resolution remarked that the present infant mortality is also due to the fact that owing to the cow slaughter we cannot have sufficient quantity of milk for the nourishment of our children. Sir, the difficulty is this, that our brethren devote too much attention to mother cow but never care for the human welfare. I am of opinion that arrangements to cope with the present infant mortality can easily be made, provided we pay due heed to the education and general welfare of mothers.

Now I would consider the question from a Muhammadan point of view. Sir, I admit that our religious sacrifice is not limited to cow sacrifice alone,

[Ch. Afzal Haq.]

but at the same time there is an ordinance of Muhammadan jurisprudence to the effect that if legal restrictions are placed on the performance of a matter which according to Muhammadan Law is exclusively a *sunna* or *nafal* it becomes *Farz*. No restrictions can be imposed on *Hilat*.

Dr. Gokul Chand, Narang : Will the honourable member explain what *Hilat* means?

Rana Firoz-ud-Din Khan : *Hilat* means *Halal*. (Lawful according to Muhammadan Law.)

Chaudhari Afzal Haq : (continued in Urdu) Sir, I fully appreciate the remarks made by the honourable mover, but I disapprove the idea that a compromise which is being sought should be reached at with the sheer force of law for it would breed contempt and endanger public peace. Sir, is it not better to solve this problem amicably through mutual co-operation than to achieve this end by means of legislation which I am sure, instead of ameliorating the present situation, would make it worse. Let our Hindu brethren exert their energy and spend money in order to achieve the object. Their individual attempts would certainly produce wonderful results. Sir, I do not specially refer to any one community when I say that ordinarily when a cow begins to yield a smaller quantity of milk, that is, when the income derived from the milk is less than the actual expenditure incurred on the upkeep of the cow, the owner of it naturally feels inclined to sell it. In this respect even the Hindus are no better than other communities. I can quote hundreds of instances in which (they the Hindus) sold their cows to Mussalmans or butchers themselves. When this is the real state of affairs that even those who worship cows cannot help selling them to others, I wonder why those people who have no reverence for cows at all should be bound by law to revere and keep them under all circumstances even though they may incur economic loss thereby. Sir, if this is passed into an Act and enforced by Government I am sure you will have to sacrifice several human beings for every cattle. Sir, we look very keen on the question of cattle-breeding but disregard human welfare, which is the foremost duty of every one of us to look after. If this resolution is accepted, the natural consequence would be that many hundreds of people would starve for the sake of cattle. Let us first see to the human welfare. Now-a-days when hundreds of people are starving in villages we see an honourable member of this House moves a resolution which would in no way better the economic conditions of the province but which on the other hand, if accepted, would mean a great economic loss to the country. Sir, we are morally bound to save our fellow-beings from starvation and promote their welfare. Moreover, the laws of nature are also based on the principle of utility. Sir, it is quite reasonable that when a thing becomes useless it is the right of its owner to dispose it of as he likes. When I find that my cow is useless I should dispose it of in a way which appears to me reasonable. Supposing I have got two cows and four oxen and it so happens that owing to certain circumstances I cannot keep any one of them. Now, Sir, what should I do? I have no other course than to sell them. Alright let us decide among ourselves that whenever a Muhammadan wants to sell his cattle our Hindu brethren and the Government, if they so desire, shall come forward to buy them. Let the Government appoint agents for the purpose in different places. Another point which they should bear in mind is this,

that they should buy cattle from Muhammadans at market price. If our Hindu brethren and the Government agree on this point we shall not object to the resolution under consideration. But if they cannot agree to this, which I am sure they cannot, I would submit that it is far from justice and equity that a community should be forced by law to keep their cattle against their will. Sir, just imagine if you are required to keep your cattle against your will how much trouble you would feel? There is another way of solving this problem. Alright, we would not sell or slaughter our cattle but would keep them under all circumstances but on the condition that our Hindu brethren would render us financial help so that we may be able to keep our cattle even if they do not yield us any income at all. Sir, we have already given expression to our feelings in this respect many a time in and out of the Council and said that this problem can only be solved through mutual help and sympathy. No amount of legal force can help us in the matter. Even the Congress declared in 1920 that the problem is a very serious one and it should be handled very carefully. I can quote the instance of Bombay where at least 1,000 cows are sacrificed every year in connection with *Id*, but in that year only three cows were sacrificed. I cannot say whether any legislation can produce such wonderful results. I think that such matters may safely be left to the good sense of both communities. To take steps for making any legislation for the purpose would mean going back to the path of disunion and tension. You want to introduce some sort of legal compulsion instead of mutual help and sympathy. I am sure my community would revolt against this compulsion. In this respect let us follow the lead of Mahatma Gandhi and other leaders. Let us solve this problem in a way which all communities approve. We can do away with this practice of cow slaughter of our own accord for the sake of mutual benefit and regard. With these words, I would request the honourable mover to withdraw his resolution.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)] (Urdu): Sir, when I first came to know that this resolution was going to be moved in this Council it occurred to me that it was likely to be misconstrued and taken in a religious mood. To-day I am extremely sorry to see that my surmise was correct. Had the honourable mover consulted me I would have advised him not to move this resolution. But now that the resolution has been moved and it is before the House I cannot refrain from supporting it. I am afraid my honourable friend, who has just sat down, has not grasped the real spirit of the resolution in which it has been brought up before the House. The mover does not look upon it from a religious standpoint or from a communal viewpoint. He simply wants to put a check on the indiscriminate slaughter of milch-cattle, meaning cattle that are actually in milk or are capable of bearing calf. The exception which he has proposed clearly shows that he does not wish to interfere with religious liberty of the people. It is a matter of great regret that this resolution has been taken in this colour. I know and can safely say that the honourable mover has been influenced purely by economic considerations.

Sir, it is an admitted fact that cattle-breeding and production of cattle leads to the economic progress of the country. In this connection I may be allowed to say that in Bengal there is a society for protection of cattle. One of the promoters of this society is an honourable Judge of the High Court of Calcutta. Once he wrote to me about thi matter and urged me to move a resolution in the Council in this conne

[D. B. Raja Narendra Nath.]

tion; but when I thought over it I did not deem it fit to move such a resolution as it was likely to be misconstrued, as is the case to-day. In the last Council there was a proposal for the improvement of the pastures in the province and to devise means for increase of cattle and a committee was appointed for this purpose, of which I was also a member. During the deliberations of that committee it was also found necessary to make such rules which might put some restrictions on the indiscriminate slaughter of the cattle but that proposal was dropped for fear of religious controversies. The present resolution has been moved from an economic point of view and I cannot help supporting it. In this Council the rights and interests of agricultural classes are always kept in view and this resolution is also concerned with the agricultural progress of the country and now it remains to be seen whether the zamindar members of this Council lend their support to it. With these remarks, I heartily support the resolution which has been moved by my friend Rai Sahib Lala Ganga Ram.

3 P. M.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban]: Sir, this resolution has been moved at a time which I dare say is fraught with the greatest difficulties for the whole of India. This is a time when there is a great tension between the Hindus and the Muhammadans and it is a matter for regret that at this time such a controversial resolution is moved. My honourable friend the Raja Sahib, for whom I have the greatest regard, says that it is non-communal and non-religious. There is no use shutting our eyes to the fact that the resolution, though it has been moved with the best of intentions, is really communal, though no doubt it has an economic bearing on the point. Now, Sir, look at the resolution. If an Act is passed on the basis of this resolution, what will happen? You will have to set up courts ten times as many as you have at present for fining people and sending them to prisons, because of the slaughter of cattle. My honourable friend the Raja Sahib says that the resolution is not communal but only economic. But the first part of the resolution talks of all milch-cattle or cattle capable of giving milk. Now, Sir, who is going to be the authority as to whether a particular cow is capable of giving milk or not? If a cow gives one *chatak* of milk, is it to be called a milch cow or not? Who is to give a right judgment on the point? My friend does not lay down the condition as to when a cow can be called a milch cow to satisfy the economic necessity. If he had added a few words to make this point clear that would have been better. As it is, the first part of the resolution is absurd.

The second part of the resolution relates to the age of the cattle. Now, Sir, it is very difficult to judge the age of men, how much more difficult must it be to judge the age of cattle? Who is going to be an expert to judge the age of cattle? Who is to decide whether the cattle is 11½ years or 12½ years of age? Is the poor villager or a butcher to go 20 miles to a big city and obtain the certificate of an expert as to the age of the cattle he wants to sell to the butcher? Do you consider this practicable? I say that this is absolute nonsense to expect a butcher or a villager to satisfy that the cattle is not under 12 years of age.

Then, Sir, what will happen to a bullock which has got one of its legs broken and which therefore is unfit for use? Are we to keep that bullock alive till it becomes 12 years of age? Are these bullocks, cows and buffaloes to be kept until they become 12 years old although they may become disabled and are not fit for use?

Now, Sir, let us see how much we export from India in the shape of hides. If I am not very much mistaken, we export something like 50 lakhs of cows' hide. Out of these 50 lakhs of cows, something like 35 lakhs, or taking it on a broader estimate, 40 lakhs of cows die a natural death, and 10 lakhs of cows are slaughtered or killed for purposes of food, or simply because they are uneconomical. My honourable friend and others of his way of thinking always rub in the fact that the average income of an individual in this country is Rs. 2 per month. If these 10 lakhs of cows which are now slaughtered because they are uneconomical are to be preserved, we have to spend on an average Rs. 20 per month and it will come to Rs. 2 crores per month to maintain these ten lakhs of cows. Or, it will take roughly 24 crores per annum to maintain these cows. My honourable friend wants that the Muhammadans should not slaughter these cows even if they are uneconomical. My learned friend looks at it solely from the religious point of view. May I ask, Sir, who is going to pay 24 crores per annum to maintain these cows? If you do not kill the cow now because it is uneconomical, perhaps it will live a natural life of three or four years more. If you stop killing the cows now, perhaps it means that within the next three or four years, you will have 30 or 40 lakhs of cows living in the country and which are absolutely uneconomical and on which you have to spend 72 or 96 crores of rupees annually. I ask my Hindu friends to answer this fairly. Are they prepared to spend 72 crores of Indian money on cows which are uneconomical and which are of no use to the country? To a Hindu, it is naturally a question of religion, but to a Muhammadan, it is absolutely an economic question. We do not kill cows simply with the intention of wounding the feelings of our Hindu brethren. If that were really the case, I would, to-day, ask the Council to stop by legislation the killing of cows. It is not taking of *baja* before a mosque. It is purely an economic question. It is well known, Sir, that the Muhammadans have no sentiment about the cows, in the same way as the Christians have no sentiment about the pig. The Muhammadan looks upon the cow in the same way as the Hindu looks upon the sheep. The Muhammadans look upon the whole thing from an economical point of view. I therefore, submit, Sir, that in this country nobody should foist on the Muhammadans cows which are absolutely useless to maintain. Of course my learned friend Chaudhri Afzal Haq says that the Government should purchase these cows. But Government consists of Hindus, Muhammadans, Christians, sweepers and others. Is the Government going to spend such a huge sum out of the tax-payers' money in the purchase of these cows which are absolutely useless to maintain? Unless my honourable friend Lala Sewak Ram who has vast area of land comes forward and takes one lakh of cows, or unless some other rich Hindu friend comes forward to protect these cows by purchasing them, there is no way out of the difficulty. The Government cannot be expected to spend the tax-payers' money in buying these cows. If a Muhammadan or a Christian wants to sell his cow because it is uneconomic to maintain and feed it, let some Hindu society come forward and take it. We have absolutely no objection to that. We have the least objection if our Hindu friends come forward and pay an economic price demanded by a Muhammadan or a Christian for his cow. But I know it as a fact, Sir, that where it touches the purse of my Hindu friend and where it comes to the question of his paying something out of his own pocket, his charity will at once stop. I am sure, Sir, that you with your wide experience of our Hindu friends will have known that when once a cow belonging to a Hindu becomes old and uneconomical to maintain, he at once gives it away as *dhan* or gift to a Brahman.

[Sh. Muhammad Sadiq.]

I am certain that you will never have seen an old cow with a Hindu. When once it becomes old, he at once gives it away to a poor Brahman. What does that poor Brahman do? He knows it is absolutely useless to maintain that cow and so he at once sells it away to a butcher. Really, Sir, it is my honourable friends belonging to the Hindu fold that are the real destroyers of cattle in this country. When a cow gets old, why not my Hindu friends keep it and feed it properly and allow it to die a natural death. As I have already said, Sir, when once it touches the pocket, our Hindu friends try to dispose of the cow by giving it to a Brahman. These Brahmans are very clever people and they seeing that the cow given to them is quite useless dispose of it to the nearest butcher. Under these circumstances it is really the Hindus that are responsible for the slaughter of cattle in this country. It is not the Muhammadans that are responsible.

Now, Sir, my honourable friend may ask me what about Kashmir and Hindu States. In Kashmir, I was told that when a cow became uneconomical to be maintained, it was pushed into the river or starved to death. Well, Sir, fancy that I have got a cow and I find it absolutely uneconomical to feed it any longer, do you mean to say that I should not dispose of the cow to a butcher? It cannot be denied by anybody that it is absolutely cruel to starve an animal and the only way to get out of the difficulty is to kill it. My honourable friend cannot solve the difficulty by passing the resolution. It is purely an economic question and it cannot be dealt with in this way by passing the resolution. If you pass a hasty legislation, it will be very cruel to these poor animals. You say that the milk supply of this country is very poor. Then all that you have to do is feed these animals properly and get greater supply of milk from the cows. As soon as it becomes uneconomic to maintain cattle and as it is very cruel to starve the animal, the best thing is to kill it. I do not say it as a grievance that a Hindu member of this Council has brought this resolution. Do you think that it is really a fair way of solving the problem? Are you justified in forcing the poor people of this country to maintain the cattle even when they become absolutely uneconomical to maintain them and make them starve to death. The sin or the *pap* for passing this resolution will lie heavy on the heads of my Hindu friends My honourable Hindu friends may think of pleasing the electorate by passing this resolution. They may please the Hindu press, and they may earn the applause of other people in the country who are of their way of thinking. But I will tell my friends plainly that they are doing the greatest disservice to the country by passing a resolution of this sort. If a resolution of this sort is approved by this House, to-morrow my *bania* friend will come and say, you are not to eat eggs, you are not to eat chickens. Some other day some other society will be found and they will say: do not use electric fan, because it will kill hundreds of germs. There are some people who do not eat tomatos, turnips and other things because thereby they would be killing the lives of certain germs. Now, Sir, in all civilised countries no Government places restriction on the kind of food that a man may eat. If a restriction is sought to be imposed upon the food, then sooner or later, it will cause trouble. The European and other Western nations have solved this problem of food. All the people in the West live side by side, each taking the kind of food that he likes without any restrictions being imposed upon his taste. I have seen in Constantinople different shops vending different kinds of food to the taste of its customers. In one shop you will find food made of pig, in another of

beef and in a third of mutton and so on- and whatever kind of food a man wants, according to his religion he goes to that particular shop where it is sold and satisfies his appetite. Therefore so far as this question of food is concerned, no outside body should come and impose any restrictions on the people. Let us take the history of the Sikhs. There was the great Maharaja Ranjit Singh. Why did he not stop the use of tobacco? For the simple reason that it will cause endless trouble in his State. If a resoultion of the kind proposed just now is passed by this House, then it will be a foretaste of the way in which people will be treated when Swaraj comes. Well, Sir, what is the way in which the Muhammadans are treated by our Hindu friends? For the last thousands of years, the Hindus have boycotted the Muhammadans. The Hindus never dine with Muhammadans. So how does it affect Hindus, if the Muslims and Christians use it as food. I am giving out the innermost feelings of the Muhammadans so that our Hindu friends might take note of them and so that they might live amicably and peacefully alongside of one another. The Muhammadans do not want to treat this cow question as a religious question. Even among the Hindus, there are so many people belonging to the Chamars, Megs, etc., who eat beef and who are considered to belong to the lower strata of society by the Hindu society. Then, why quarrel with Muhammadans alone for killing cattle. If you really want a compromise, it cannot be effected here in the Council hall, through a resolution. Such compromses to be lasting should be made in the public and there is no use of placing on the statute book legislation of this character without approval of all communities, and if passed, will never effect a lasting compromise between the two communities. If only my honourable friend had given a little more consideration to this question, he would not have brought forward a resolution of this sort. If only my honourable friend had brought forward a resolution to the effect that cows, bulls, bullocks, etc., which are economical to be maintained should not be slaughtered, then nobody would have raised any objection to his proposition That would have been a different thing. But the resolution as it stands is not conceived in the right spirit and as it stands it is economically a wrong proposition. If this resolution is passed, then the greatest injury will be done to the Hindu-Muhammadan feelings. So, under these circumstances, I request my honourable friend to withdraw his resolution.

The Honourable Sardar Jogendra Singh (Minister for Agriculture): Sir, I take it that the honourable mover of this resolution has only one object in view, that is, a better breeding of cattle and greater supply of milk. I have been engaged in this business for over thirty years. What the experience both in India and outside India has proved is that you need better bulls. If you take care in producing better bulls, you can increase your milk-supply. In Pusa, for the last 12 or 13 years, they have been making experiments with Ayrshire bulls and Montgomery cows and the milk-supply has increased 25 to 30 per cent. The question, as has been rightly pointed out by the Raja Sahib, is purely an economic one, and I can assure my honourable friend, the mover of the resolution, that I and the Ministry of Agriculture are very seriously considering the question of the provision of better bulls for the whole province. We are also about to undertake stock breeding on a very large scale. In these circumstances, I will ask my honourable friend not to press his resolution, but wait and see what is being done towards increasing the milk-supply of this province. I was greatly surprised when I made

[Hon'ble Sardar Jogendra Singh.]

enquiries, that in a large town like Lahore, there is absolutely no provision regarding good milk-supply. If, in a town like Lahore, you would only provide good bulls, you would increase your milk-supply. About the other matter, the Hindu-Muhammadan question, I say nothing. What we need is a greater cultivation of neighbourliness and neighbourly behaviour. We are all zamindars and as the Raja Sahib said we must all combine in promoting the agriculture of this province and thus make the province a greater and a better one in every respect.

Rai Sahib Lala Ganga Ram (Urdu): Sir, I beg to say that I did not move my resolution from a communal point of view or from a religious point of view. I moved it simply for the sake of economic progress of this province. As the Honourable the Minister for Agriculture as well as other honourable members are of opinion that I should withdraw the resolution I abide by their wishes and beg leave to withdraw my resolution.

The resolution was by leave withdrawn.

RESOLUTION RE ENCOURAGEMENT OF CLASSICAL AND VERNACULAR LANGUAGES.

Diwan Bahadur Raja Narendra Nath (Punjab Land-holders, General): Sir, before I read out my resolution which is a very long one and which I understand, some of my friends have not taken the trouble to read, I should like to make a few preliminary remarks. If the scheme which this resolution propounds had been in operation for some time before, the spirit in which the last resolution was discussed in this Council would have been a different one.

Mr. President: Order, order. The honourable member should commence his speech by formally moving his Resolution.

Diwan Bahadur Raja Narendra Nath: The resolution is a very long one and I propose to divide it into two parts and make my remarks on each part, or, do you want me to read the whole of it at once?

Mr. President: Please move the resolution *in extenso* before making any remarks.

Diwan Bahadur Raja Narendra Nath: All right, Sir. My resolution reads as follows:—

"This Council recommends to the Government that a sum of 4 lakhs be set apart in the next budget from Provincial revenues and invested in Government securities the interest of which should be placed at the disposal of the Punjab University for the purpose of encouraging by award of bonuses the study of Vernacular languages and of Oriental classics from which they are derived or on which they are founded and of History in accordance with the following rules for the consideration of which a committee may be appointed consisting of the Honourable Finance Member, the Honourable Minister for Education, 2 Oriental scholars who are members of the Senate and the Mover:—

(1) For the purposes of these rules Vernacular languages and Oriental classics will be divided into the following groups—

(*i*) Oriental Classics—

Sanskrit	Group	A.
Arabic and Persian	"	B.

(*ii*) Vernacular languages—

Urdu written in Persian characters ...	Group	A.
Hindi written in Deva Nagri characters ..	"	B.

(2) A student in any of the colleges affiliated to the University who has taken up an Oriental classics of any of the above two groups and History as his subjects, or any one who has passed the B.A. examination with an Oriental classics belonging to any one of those two groups and History as his subjects is an eligible beneficiary under the rules (4) and (5); Provided that he gives an agreement that he will pass within 5 years all the compulsory examinations prescribed in these rules and in case of failure to pass the examination within the period prescribed or extended as laid down below, will refund to the University value of prizes given to him. The period may be extended on proof of illness, or otherwise on the recommendation of the Principal of the College he has been attending. The agreement will be inoperative in case of death of the student. The prizes may be taken either on passing each examination or may be allowed to accumulate.

(3) No more than one student belonging to each one of the following 4 communities shall be eligible for the prizes and no more than 4 students altogether will be taken in any one year. (1) Hindu, (2) Muslim, (3) Sikh and (4) communities other than Hindu, Muslim and Sikh.

(4) Persons qualified under rule (2) on passing the following examinations in a Vernacular language derived from classics other than that which he has taken up in the college or in which he has passed his B.A. examination shall be entitled to receive the prize mentioned against the examination—

	Rs.
Proficiency	200
High Proficiency	300
Honours	400

(5) It will further be obligatory on the student (*a*) to pass the Proficiency examination of the Classical language from which the Vernacular taken up by him under these rules for which he has received prizes is derived (*b*) to pass the Proficiency examination in Punjabi written in Gurmukhi characters and (*c*) to attend the course of History lectures prescribed in rules (8) and (9).

(6) On compliance with rule (5) he will get a purse of Rs. 500.

(7) A person who has passed within five years the examinations prescribed above may appear in the High Proficiency and Honours examination of the classics in which he passed the lowest examination prescribed by rule (5) and on passing the examination get the prizes mentioned below. Success in these examinations is not covered by agreement—

	Rs.
High Proficiency	700
Honours	1,000

(8) The lectures in History referred to in the preamble of this resolution will consist of a single or of a series of written discourses in English dealing (*a*) with the best periods and aspects of Hindu History, including Buddhistic History, (*b*) with the best period and aspects of Islamic History relating to India or to countries outside of India, (*c*) the contribution made by Hindu and Islamic civilizations to various branches of human knowledge such as Mathematics, Science, Philosophy and Art; such lectures or discourses shall supply a bibliography showing for the benefit of students who desire to pursue the subject further the books of reference on which the thesis is based.

(9) These discourses shall be free from offensive attacks on other communities and their religions. The honorarium for the lectures will be fixed by the Syndicate of the University. Hindus and Muhammadans will receive every encouragement for lecturerships on their respective histories but persons belonging to other nationalities are not precluded from preparing and delivering the lectures.

(10) Only such amount shall be debited by the University against this fund as is actually spent."

[Diwan Bahadur Raja Narendra Nath.]

The rules which I have framed are not final. They are meant for the consideration of the Committee which I propose, and if in course of discussion any change would become necessary, that change will be adopted. My object at present is to ask the Council to approve of the principle which is embodied in this resolution. The resolution naturally divides itself into two parts, first, the study of languages and, secondly, the course of lectures on History. With regard to the study of languages, I may remark that the question of Hindu Muhammadan unity and unifying the various communities that inhabit this country has received consideration from many sides. There have been unity conferences, there have been political conferences, but so far no satisfactory results have been achieved. Compromises will not serve the purpose for which they are meant. Any number of leaders representing both sides may arrive at a certain settlement. That settlement in course of time is repudiated by both classes. What is needed is a change of heart and it is to prepare for the change of heart that my scheme is proposed.

It is an admitted fact, which no student of History will dispute, that when one nation comes into contact with another nation, the best way of mutual understanding and conciliation is for one nation to study the culture, civilisation and literature of the other. We have had examples of it in the Indian history. In the time of the great Mughal Emperor Akbar, we find that he threw open a number of civil appointments to Hindus. This served as an inducement to Hindus to study Persian and Arabic literature, with the result that there were Hindu authors of Persian books. The great lexicon Bahar-i-Ajam was written by a man called Tek Chand. There are various other Persian books written by Hindu authors. Akbar diverted his attention to the encouragement of the study of Sanskrit amongst Muhammadans. He had various books of Hindu literature translated into Persian. We know of Faizi's Gita and we know of his translation of the Mahabharta. The only other Mughal Emperor after Akbar who encouraged the study of Sanskrit was Dara Shikoh. With the advent of the English we find that the study of the English language and literature was encouraged and what good fruits it has produced, we are well aware of. There was at one time great prejudice against English literature, both amongst Hindus and Muhammadans, but that prejudice gradually died away. Our forefathers thought that by allowing young men to learn English we would make them Christians. The Hindus and also the Muhammadans attached very great importance to caste rules. We find caste rules greatly relaxed. There are now amongst our young men many who are more anglicised in many respects than the English themselves. In fact the conflict which we have in the political sphere is due to the fact that the educated men want political institution in the country to be anglicised or Europeanised more rapidly than is possible for Government to do. There are many other instances to which I could refer. In the course of my travels twenty-five years ago I went to Egypt, and I found that at that time British supremacy was taking the place of French supremacy in that country. English literature and English language was being encouraged in place of French. I went as far as the Soudan and I heard of the Gordon College which had been founded in Khartoum. The great war in which General Gordon met his death was due to the prejudices of the dervishes and the best way of reconciliation was considered to be the foundation of an English College. So far the study of Urdu and Persian has been in vogue amongst the Hindus in the north of India, but I am afraid it is now on the decline. Twenty-five years hence probably with

the exception of English there will be no literary language by which Hindus and Muhammadans will be able to hold communication with each other. As to Hindu literature, Muhammadans have never paid any attention to it and we are not aware of the effect or influence which the study of Sanskrit literature amongst the Muhammadans will produce. I therefore think that in order to keep up good relations there ought to be cultural assimilation and for this we must prepare the rising generation. It was at first my idea to encourage the study of Sanskrit amongst those who had taken up Persian or Arabic in their classical course of the college and *vice versa* to encourage the study of Arabic and Persian amongst those who had taken up Sanskrit. But I found that it would be too sudden a change. If a young man who had devoted his whole student career to the study of Sanskrit was required to study Arabic or Persian he would find it very difficult to do so. On the other hand a student who had devoted his time in the college to the study of Persian would find it difficult to devote himself to the study of Sanskrit at once. I therefore recommended the study of vernaculars. Hindi is not very different from Urdu and Urdu is not very different from Hindi. Therefore if a young man who has taken Sanskrit in his college course is required to pass in Urdu he will not find difficulties to surmount and *vice versa*. I do not insist upon any high standard in the two classics

With regard to the course of history which I prescribe, I find very erroneous impressions prevail amongst the students of the present day. There are very good aspects of Islamic history of which they are perfectly unaware. The Caliph of Baghdad did a good deal for the advancement of learning and the advancement of culture of which the modern students of history, at any rate the Hindu students, are completely ignorant. With regard to the Hindu history their is similar ignorance prevailing amongst the Muhammadans. With regard to Islamic culture there are also wrong notions prevailing. About Hindu culture very little is known to the Muhammadans. All that the ordinary student of history knows about Islamic culture is that it represents force or destruction. There are several aspects of it of which he is ignorant. Similarly, wrong notions prevail with regard to the contributions made to human knowledge both by the Hindus and the Muhammadans. It is generally believed by the Hindus that the Muhammadan philosophy, or Muhammadan science was mainly borrowed from the Greeks. That is not correct. Muhammadans made original contributions. Then according to the opinions of some historians it is admitted that the contributions of the Hindus had been without any extraneous help and that they were of a very high order in Philosophy, Mathematics and Astronomy. It will therefore be to the mutual understanding of the two communities, if the future generations are so educated as to give to each community the full knowledge of the best aspects of the history of the other. I find these benches (non-official benches) empty. I find that no attention is paid to the change which my resolution proposes. That is why the people outside the Punjab accuse the Punjabis as being imbued with communal predilictions. I want to dispel the illusion and so I put this resolution as a test case. I have not talked about this resolution with even the best and nearest of friends. I leave them to vote as they like. If this resolution is thrown out it will simply show the atmosphere prevailing in the Punjab. If it is accepted, my object is achieved. I am not very sanguine about the success of the scheme. (Hear, hear). I do not say that many Hindus and Muhammadans will avail themselves of the bonuses or prizes offered. They may not, but there is no harm in drawing up a scheme and giving them an opportunity. I am

[Diwan Bahadur Raja Narendra Nath.]

not very sanguine even about the results which the successful operation of the scheme will achieve. I do not think that this scheme alone will nationalise the two communities. Other things will be needed. But this scheme will be the first stone laid in the foundation of the national fabric. Let us see how far it succeeds. There are unifying forces and disintegrating forces having their operation on the two communities. This is one of the unifying forces which will be brought into operation if my resolution is accepted by the Council and the scheme propounded is put into practice. I find much lack of interest on the part of the members; I find the benches empty and so I do not wish to di ate any further upon the subject of this resolution. I have said enough to explain what my meaning is and I am not very particular about the details of the schemes which will be thought out and discussed by the committee which I want to propose. If the appointment of the committee is accepted by the Council we can go into the details more fully.

Mr. President: The resolution moved is—

"This Council recommends to the Government that a sum of 4 lakhs be set apart in the next budget from Provincial revenues and invested in Government securities, the interest of which should be placed at the disposal of the Punjab University for the purpose of encouraging by award of bonuses the study of Vernacular languages and of Oriental classics from which they are derived or on which they are founded and of History in accordance with the following rules for the consideration of which a committee may be appointed consisting of the Honourable Finance Member, the Honourable Minister for Education, two Oriental scholars who are members of the Senate and the Mover:—

(1) For the purposes of these rules Vernacular languages and Oriental classics will be divided into the following groups:—

(i) Oriental classics—

Sanskrit	Group A.
Arabic and Persian	Group B.

(ii) Vernacular languages—

Urdu written in Persian characters ...	Group A
Hindi written in Deva Nagri characters	Group B.

(2) A student in any one of the colleges affiliated to the University who has taken up an Oriental classics of any of the above two groups and History as his subjects, or any one who has passed the B. A. examination with an Oriental classics belonging to any one of those two groups and History as his subjects is an eligible beneficiary under the rules (4) and (5): Provided that he gives an agreement that he will pass within five years all the compulsory examinations prescribed in these rules and in case of failure to pass the examination within the period prescribed or extended as laid down below will refund to the University value of prizes given to him. The period may be extended on proof of illness, or otherwise on the recommendation of the principal of the college he has been attending. The agreement will be inoperative in case of death of the student. The prizes may be taken either on passing each examination or may be allowed to accumulate.

(3) No more than one student belonging to each one of the following 4 communities shall be eligible for the prizes and no more than 4 students altogether will be taken in any one year: (1) Hindu, (2) Muslim, (3) Sikh, and (4) communities other than Hindu, Muslim and Sikh.

(4) Persons qualified under rule (2) on passing the following examinations in a vernacular language derived from classics other than that which he has taken up in the college or in which he has passed his B. A. examination shall be entitled to receive the prize mentioned against the examination:—

	Rs.
Proficiency	200
High Proficiency	300
Honours	400

(5) It will further be obligatory on the student (a) to pass the proficiency examination of the classical language from which the vernacular taken up by him under these rules for which he has received prizes is derived, (b) to pass the proficiency examination in Punjabi written in Gurmukhi characters, and (c) to attend the course of History lectures prescribed in rules (8) and (9).

(6) On compliance with rule (5) he will get a purse of Rs. 500.

(7) A person who has passed within 5 years the examinations prescribed above may appear in the High Proficiency and Honours examination of the classics in which he passed the lowest examination prescribed by rule (5) and on passing the examination get the prizes mentioned below. Success in these examinations is not covered by agreement :—

	Rs.
High Proficiency	700
Honours	1,000

(8) The lectures in History referred to in the preamble of this resolution will consist of a single or of a series of written discourses in English dealing (a) with the best periods and aspects of Hindu History, including Budhistic History, (b) with the best period and aspects of Islamic History relating to India or to countries outside of India, (c) the contribution made by Hindu and Islamic civilizations to various branches of human knowledge such as Mathematics, Science, Philosophy and Art : such lectures or discourses shall supply a bibliography showing for the benefit of students who desire to pursue the subject further the books of reference on which the thesis is based.

(9) These discourses shall be free from offensive attacks on other communities and their religions. The honorarium for the lectures will be fixed by the Syndicate of the University. Hindus and Muhammadans will receive every encouragement for lecturerships on their respective histories but persons belonging to other nationalties are not precluded from preparing and delivering the lectures.

(10) Only such amount shall be debited by the University against this fund as is actually spent."

The question is that that resolution be adopted.

Dr. Gokul Chand, Narang [North-West Towns (non-Muhammadan) Urban] : Sir, it is unnecessary for me to make a long speech, in fact, it is not at all necessary for me to make any speech in the present thin state of attendance of members in the House. I fully appreciate the resolution which has been moved by my respected friend and therefore I would be failing in my duty if I do not support it. My honourable friend the Raja Sahib has given very good reasons in support of the resolution and I can hardly add anything to what he said. I am sure that if this resolution is carried, and the provision asked for is made, not only will the interest of learning be promoted in this province, but the relations of the members of one community with the members of other communities will also improve. It is therefore highly desirable that this resolution should be passed and some such provision as is asked for in the resolution is made.

4 P.M.

Sardar Jodh Singh : I have to move certain amendments to this resolution. I do not know if my honourable friend the Raja Sahib will accept my amendments.

Diwan Bahadur Raja Narendra Nath : I have no objection to accept the amendments if my honourable friend insists on moving them. I considered Sikh history as part of Hindu history and so I thought there

[Diwan Bahadur Raja Narendra Nath.]

was no necessity to make separate mention of Sikh history. I want that these details should be left to the committee. I have mentioned many details. I already find that my resolution has become very long. If we incorporate further details, then the resolution will become too lengthy, and it will become more complicated, and still more difficult to understand. I ask at the present time for the appointment of a committee. That committee will consider all details and may make any changes it likes.

Sardar Jodh Singh (Sikh, Urban) : Sir, I shall formally move my amendments :—

"In paragraph 5, line 4, the word "Honours" be substituted for the word "Proficiency"

"After paragraph (8) (b) a new sub-paragraph (c) The history of the Sikhs in the Punjab" be inserted, and the existing sub-paragraph (c) be renumbered (d)".

Sir, I need not make any long speech in commending these amendments for the acceptance of the House. The object of the honourable mover of the original resolution seems to be that the different communities living in this province should get better acquainted with the religion and civilisation of their neighbours and that by such a study an atmosphere of better toleration should be created. I agree with that object and therefore support the resolution.

Sardar Tara Singh: I have got certain amendments. I have not been called upon to move them.

Mr. President : It is not the duty of the Chair to call upon the proposers of the amendments to move their amendments. It is for them to rise and take their chance if they care to move their amendments.

Maulvi Mazhar Ali Azhar [East and West Central Town (Muhammadans) Urban] (Urdu) :—Sir, I am in full sympathy with the arguments advanced by the honourable mover in support of his resolution. I also subscribe whole-heartedly to the objects of the motion. But I want to lay before the House a few points, I notice, which ought to be cleared a little. The resolution if adopted in its present form will give rise to a lot of difficulties particularly when it is to be translated into practice. At this stage I would suggest that the principle of the resolution only be accepted after a little amendment. We need not at the present stage go into such elaborate details. These details at the outset are likely to create many complications. For instance, take the case of oriental classics. These have been divided into two groups (A) Sanskrit and (B) Arabic and Persian. Now it is expected that on the one hand a person should study only Sanskrit and on the other both Persian and Arabic should be studied. Arabic and Persian both of these subjects cannot be taken in the B. A. class if one has also to take History as another subject. You will not thus find any candidate satisfying this condition and few will be able to profit by this resolution. These languages are so vast and difficult that they cannot both be mastered by one man.

Then Sir, as regards the third part of the resolution, I have to point out that the honourable mover has fixed the number of students to be awarded these bonuses at four, one being taken from each community. But Muslims have a cause to complain against this part. You have included Arabic, Urdu and Persian in the course and all these three languages are,

if I may call them so, Muslim languages. With these three languages one Muslim is really insufficient. It would be better if you increase the number and take more Muslims With the present number how can you expect the Muslims to take any interest in the Sanskrit? They can hardly master their own languages. With the present number the object will be hard to attain.

Then, Sir, in clause 5 you have made it compulsory for the student to pass the proficiency, and now after the amendment, Honours in Punjabi. I do not understand why this special favour has been shown to Punjabi, particularly when only one of the other languages is compulsory. Thus where Muslims will have to study non-Muslim languages and their history less chance will be afforded to non-Muslims to study Muslim languages and literature. I, therefore, request the honourable mover to make necessary amendments in the resolution.

Mr. President: With a view to avoid confusion, I propose to put the amendments separately.

The amendment proposed runs:

"In paragraph (5), line 4, the word "Honours" be substituted for the word "proficiency."

The question is that that amendment be made.

Professor Ruchi Ram, Sahni: Can I speak on the original resolution Sir?

Mr. President: After an amendment has been proposed from the Chair, the debate should be confined to the amendment until it is disposed of.

Doctor Gokul Chand Narang: When the amendments have been accepted by the mover of the resolution, do they not form part of the original substantive resolution? The only thing then before the House would be the resolution and not the amendment.

Mr. President: Acceptance of an amendment by the mover of the resolution is not its acceptance by the whole House. I shall therefore put the amendment to the House. But before doing so, I would like to explain the parliamentary procedure so that there may remain no misapprehension about it in the minds of the honourable members. When the amendment is, as in the case now before the House, to leave out certain words in order to insert others, the Chair, after stating the amendment, first proposes the question, "that the words proposed to be left out stand part of the question." If the question is resolved in the affirmative then the original resolution is put. If, however, the question "that the words proposed to be left out stand part of the question" is negatived, then the question is put that the words proposed by the amendment "be there inserted or substituted." If this latter question is resolved in the affirmative, the main question, so amended, is put. Now I proceed to propose the questions in the form and order explained by me.

The question is:

"That the word 'proficiency' in paragraph 5, line 4, stand part of the resolution."

The motion was lost.

Mr. President : The question is :

"That in paragraph 5, line 4, the word 'Honours' be substituted for the word 'proficiency.'"

The motion was carried.

Mr. President : The question is :

"After paragraph (8) (b) a new sub-paragraph '(c) The history of the Sikhs in the Punjab' be inserted and the existing sub-paragraph (c) be renumbered (d)."

The motion was carried.

Diwan Bahadur Raja Narendra Nath. [Punjab Landholders (General)] : Sir, I explained briefly in my speech moving the resolution that those who take up Hindi will have to pass the lowest examination in Sanskrit and those who take up Urdu will have to pass the lowest examination in Persian. I do not think that it will be necessary to pass any examination in Arabic. I referred to Arabic because those who take up Arabic should be encouraged to take up Hindi. That is why Arabic is mentioned. I do not deny that Arabic has the same status as Sanskrit. Any one taking up Arabic or Persian in his B. A. honours or in his ordinary B. A. course, is required to take up Hindi and for completing the knowledge of Hindi he will have to pass the lowest examination in Sanskrit. For any one taking up Urdu who has been reading Sanskrit all along, passing the examination in Persian will be necessary. That is why the Arabic examination does not come in. I have referred to Arabic because there may be students who may be taking up Arabic as a part of their course in the college. I have not attached greater importance to Punjabi than to other vernaculars. I do not know what led my friend to take that view. In fact as the study of other vernaculars is carried up to the honours standard, Sardar Jodh Singh proposes that the study of Punjabi should be carried to the same standard. That amendment I have accepted in order to bring the Punjabi to the same standard as other vernaculars, but I have not given it greater importance. However these are details which need careful consideration and therefore a big Council like this is not the place where these things can be settled. If the Council agrees to the appointment of a committee and that committee considers and discusses the rules which I have proposed, I would be quite satisfied.

Chaudhri Afzal Haq : What about paragraph 3 ?

Diwan Bahadur Raja Narendra Nath : I have not quite understood what the objection of my honourable friend is. I wanted to equalise all the communities, so that it may not be thought that I was hinduising more Muhammadans and muhammadanising fewer Hindus. If I encouraged the study of Sanskrit more amongst Muhammadans than I encouraged Urdu and Persian amongst Hindus, I would be open to the charge that I was hinduising more Muhammadans and muhammadanising fewer Hindus. That was my object in keeping the number equal. If that is misunderstood, the matter can be considered by the committee which I propose to appoint.

The Honourable Rai Sahib Chaudhri Chhotu Ram : (Minister for Education) : I have the fullest possible sympathy with the arguments that have been used by Raja Sahib in support of the general object of his resolution, as everybody in the House must have understood that the object of Raja Sahib has in view is to encourage the study of oriental classics and vernacular languages so that the study of Arabic and Persian by Hindus and the study of Sanskrit and Hindi by Muhammadans may induce a better state of mutual

feelings between the communities. With that object nobody in the House or outside it can but sympathise. The real difficulty comes in where the resolution runs into details. The form in which the resolution stands makes it impossible for the resolution to be accepted, even the general tenor of details is unacceptable. I will not detain the House, but if Raja Sahib is prepared to accept an assurance that if a satisfactory scheme is put forward by the University, Government will be prepared to make a recurring grant. If that assurance is accepted then I think it would be better for the resolution to be withdrawn. But if Raja Sahib insists on the form in which the resolution stands at present, it is impossible for the resolution to be accepted. Raja Sahib himself has admitted that he is not sanguine as to the chances of a suitable scheme being put forward.....

Diwan Bahadur Raja Narendra Nath:—No, I never said that.

The Honourable Rai Sahib Chaudhri Chhotu Ram: I understood him to say that he was not very sanguine as to the chances of a good scheme being put forward and that .....

Diwan Bahadur Raja Narendra Nath: Of the benefits being availed. The scheme is quite practicable, but I am not quite sure whether a sufficient number of students will come forward to benefit by the scheme.

The Honourable Rai Sahib Chaudhri Chhotu Ram: Any way unless a good scheme is put forward which has been discussed and considered by competent persons, it is not possible for me to accept the resolution. Raja Sahib is a distinguished member of the University and if he moves the matter there and presses forward a suitable scheme and that scheme is forwarded to Government, Government will consider it very carefully. As a matter of fact, as I have already stated, there is nobody in this House who does not sympathise with the objects which Raja Sahib has in view and there will be no difficulty in finding a recurring grant for a good scheme that has been discussed by the University which is really the most competent body to discuss the scheme and consider its details. If a well-considered scheme comes to us there will be no difficulty in making a grant for the encouragement of the study of oriental and vernacular languages.

Another objection which I have to this resolution is the proposal that four lakhs of rupees should be set apart and invested in Government security. This is a most unusual proposal. When Government has been spending money on oriental classics and on vernacular languages and is prepared to make an additional recurring grant in certain eventualities, there is no reason why Government should be asked to set apart four lakhs of rupees and invest it in Government securities. After all Government securities will only bring a certain amount of interest and if Government is prepared to make a recurring grant more or less equal to the amount which would accrue from the investment of these four lakhs, there is no reason why a recurring grant should not be accepted as a very good equivalent of the interest which investment in Government securities will bring. Having said this much I may add that unless Raja Sahib accepts this assurance, it is very difficult for this resolution to be accepted. Raja Sahib has himself admitted that so far as the details of the resolution are concerned, the matter can best be considered by a committee, and having admitted that I do not think Raja Sahib should press that the

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resolution as it stands should be accepted. The general spirit, as I have already said, I am in sympathy with, but if Raja Sahib insists on his resolution as it stands, I am afraid I must oppose it. Perhaps he is prepared to withdraw his resolution.

Diwan Bahadur Raja Narendra Nath : I am not going to withdraw it.

The Honourable Rai Sahib Chaudhri Chhotu Ram : Then I am afraid the resolution has to be put to the House.

Sardar Jodh Singh : If the University send this scheme in proper form, will Government accept it or will it only consider it ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : I think it would not be quite reasonable to expect Government to say beforehand that it will accept a scheme which it has not seen. When the scheme has been put forward, Government will certainly consider it and as I have already expressed my general sympathy with the spirit of the resolution, there is no reason why you should ask for an assurance beforehand.

Mr. President : The resolution before the Council is :—

"This Council recommends to the Government that a sum of 4 lakhs be set apart in the next budget from provincial revenues and invested in Government securities, the interest of which should be placed at the disposal of the Punjab University for the purpose of encouraging by award of bonuses the study of Vernacular languages and of Oriental classics from which they are derived or on which they are founded and of History in accordance with the following rules for the consideration of which a committee may be appointed consisting of the Honourable Finance Member, the Honourable Minister for Education, 2 Oriental scholars who are members of the Senate and the Mover :—

(1) For the purposes of these rules Vernacular languages and Oriental classics will be divided into the following groups :—

(i) Oriental Classics—

Sanskrit	...	...	...	Group A.
Arabic and Persian		...	...	Group B.

(ii) Vernacular languages—

Urdu written in Persian characters	...	Group A.
Hindi written in Deva Nagri characters		Group B.

(2) A student in any one of the colleges affiliated to the University who has taken up an Oriental classics of any of the above two groups and History as his subjects, or any one who has passed the B.A. examination with an Oriental classics belonging to any one of those two groups and History as his subjects, is an eligible beneficiary under the rules (4) and (5); Provided that he gives an agreement that he will pass within 5 years all the compulsory examinations prescribed in these rules and in case of failure to pass the examination within the period prescribed or extended as laid down below, will refund to the University value of prizes given to him. The period may be extended on proof of illness, or otherwise on the recommendation of the Principal of the College he has been attending. The agreement will be inoperative in case of death of the student. The prizes may be taken either on passing each examination or may be allowed to accumulate.

(3) No more than one student belonging to each one of the following four communities shall be eligible for the prizes and no more than four students altogether will be taken in any one year. (1) Hindu, (2) Muslim, (3) Sikh, and (4) communities other than Hindu, Muslim and Sikh.

(4) Persons qualified under rule (2) on passing the following examinations in a vernacular language derived from classics other than that which he has taken up in the College or in which he has passed his B. A. examination shall be entitled to receive the prize mentioned against the examination—

	Rs.
Proficiency	200
High Proficiency	300
Honours	400

(5) It will further be obligatory on the student (*a*) to pass the Proficiency examination of the classical language from which the vernacular taken up by him under these rules for which he has received prizes is derived, (*b*) to pass the Honours examination in Punjabi written in Gurmukhi characters and (*c*) to attend the course of History lectures prescribed in rules (8) and (9).

(6) On compliance with rule (5) he will get a purse of Rs. 500.

(7) A person who has passed within 5 years the examinations prescribed above may appear in the High Proficiency and Honours examination of the classics in which he passed the lowest examination prescribed by rule (5) and on passing the examination get the prizes mentioned below. Success in these examinations is not covered by agreement—

	Rs.
High Proficiency	700
Honours	1,000

(8) The lectures in History referred to in the preamble of this resolution will consist of a single or of a series of written discourses in English dealing (*a*) with the best periods and aspects of Hindu History, including Budhistic History, (*b*) with the best period and aspect of Islamic History relating to India or to countries outside of India, (*c*) the History of the Sikhs in the Punjab. (*d*) the contribution made by Hindu and Islamic civilizations to various branches of human knowledge such as Mathematics, Science, Philosophy and Art; such lectures or discourses shall supply a bibliography showing for the benefit of students who desire to pursue the subject further the books of reference on which the thesis is based.

(9) These discourses shall be free from offensive attacks on other communities and their religions. The honorarium for the lectures will be fixed by the Syndicate of the University. Hindus and Muhammadans will receive every encouragement for lectureships on their respective histories but persons belonging to other nationalities are not precluded from preparing and delivering the lectures.

(10) Only such amount shall be debited by the University against this fund as is actually spent."

The question is that that resolution be adopted.

The Council divided ; Ayes, 19, Noes, 40.

AYES 19.

Sardar Jodh Singh.
Sardar Har Chand Singh.
Pandit Nanak Chand.
Dr. Gokul Chand, Narang.
Professor Ruchi Ram, Sahni.
Diwan Bahadur Raja Narendra Nath.
Lala Sham Lal.
Captain Dhan Raj, Bhasin.
Lala Bodh Raj.
Rai Bahadur Lala Sewak Ram.
Dr. Nihal Chand, Sikri.
Lala Diwan Chand.
Lala Mohan Lal, Bhatnagar.
Rai Bahadur Lala Dhanpat Rai.
Rai Sahib Lala Ganga Ram.
Mr. E. Maya Das.
Mr. Labh Singh.
Lala Mohan Lal.
Chaudhri Ram Singh.

NOES 40.

Mr. W. P. Sangster.
Colonel C. R. Bakhle.
Mr. C. A. Barron.
Mr. C. M. King.
Khan Bahadur Nawab Muzaffar Khan.
Mr. D. Milne.
Sir George Anderson.
Lt. Col. W. C. H. Forster.
The Hon'ble Sardar Jogendra Singh.
The Hon'ble Rai Sahib Chaudhri Chhotu Ram.
The Hon'ble Khan Bahadur Mian Sir Fazl-i-Husain.
The Hon'ble Sir John Maynard.
Mr. Ram Chandra.
Mr. Miles Irving.
Mr. B. H. Dobson.
Mr. J. M. Dunnett.
Mr. H. W. Webb.
Mr. Owen Roberts.
Mr. J. Coldstream.
Khan Bahadur Shaikh Abdul Qadir.
Malik Firoz Khan, Noon.
Munshi Fazal Khan.
Sardar Bahadur Sardar Jowahir Singh.
Khan Sahib Khan Muhammad Saifullah Khan.
Subedar-Major Farman Ali Khan.
Chaudhri Najib-ud-Din Khan.
Khan Bahadur Chaudhri Fazl Ali.
Chaudhri Ghulam Muhammad.
Chaudhri Noor Din.
Chaudhri Sahib Dad Khan.
Khan Sahib Chaudhri Muhammad Shafi Ali Khan.
Sardar Tara Singh.
Rai Bahadur Sir Gopal Das, Bhandari.
Chaudhri Afzal Haq.
Rana Firoz-ud-Din Khan.
Sardar Dhira Singh.
Captain Malik Mumtaz Muhammad Khan, Tiwana.
Khan Muhammad Abdullah Khan.
Chaudhri Duli Chand.
Rao Pohap Singh.

The motion was lost.

RESOLUTION *RE.* EXCISE POLICY.

Maulvi Mazhar Ali Azhar [East and West Central Towns (Muhammadan), Urban]: (Urdu) Sir, having obtained your permission and having been authorised by Chaudhri Sahib Dad Khan, I beg to move that—

"This Council recommends to the Government—

(*a*) to abandon its present excise policy for a policy of total prohibition;
(*b*) to take early steps to appoint a committee to go into the whole matter and to suggest means to make the new policy a success; and
(*c*) to take such other action as may be necessary or advisable to enable the Government to embark on the new policy."

Sir, so far the excise policy of the Government has been to levy the largest amount of revenue by the smallest amount of consumption of liquor and that is the policy which is being followed even now. The object, if I may say, with which this policy was adopted and acted upon was to bring

down the consumption of liquor to a reasonable limit amongst those who were addicted to it and to discourage its use amongst those who were still free from this evil. But from the practical working of this policy we see that the object has not been achieved. The statistics rather show that the consumption of liquor has increased from year to year and from generation to generation and if there was a temporary decrease in any year it was due to some other causes extraneous to this policy. In this connection I may say that there has been an immeasurable increase in the amount of revenue from the Excise Department, so much so that in the year 1899-1900 the annual gross income from liquor only was Rs. 14,84,576 this amount has gone on multiplying until it has reached the figure of Rs. 74,77,814 in 1924-25 after having given us Rs. 86,34,026 and Rs. 97,75,345 in the years 1919-20 and 1920-21 respectively. In other words, there has been a regular increase in the amount of revenue barring one or two years of temporary decrease and the revenue that now accrues to the Government from this Department is therefore quite a big sum. That figure looms large in the eyes of the Government and certain sections of the people and that is why any proposal, which is deemed to affect adversely that income, is strongly opposed by the Government and is indifferently looked upon by some people. I quite realise that such a proposal as of total prohibition at this stage must appear as something beyond realisation, because this question at once suggests itself as to how it would be possible to make good such a big loss in the revenue. But we must realise that the longer we delay the introduction of total prohibition the greater will our difficulties be. Had the question of total prohibition been considered in 1899-1900 or in a few succeeding years it would have appeared very easy to forego an income of Rs. 14,84,576 in that year, or of Rs. 14,71,765 in 1900-1901 or of Rs. 14,25,340 in 1901-02, and no great difficulties would have suggested themselves. Now the difficulty in letting escape an item of annual income of a little less than a crore from our hands seems to us insurmountable. But the House must remember that total prohibition has to come in and must come in, and if it does not come in to-day, to-morrow the annual income will have again considerably increased and the financial aspect of the question will present still greater difficulties. When the experience of the past many years has shown us that the present excise policy cannot achieve the object in view and when we are certain that nothing short of total prohibition will take us to the goal in view, I do not see any reason why we should stick to the present policy simply on the ground that we receive so much income thereby.

So much by way of general remark. I will now proceed to illustrate what I have said before that by the adoption of the present excise policy, the consumption of liquor has increased rather than decreased and that the policy of total prohibition is the only policy by the adoption of which we can attain the object in view. To show how far my allegations are true, I will confine myself to the Government Reports on the Excise Administration of the Province. It is clear from these reports that the consumption of liquor has steadily and regularly increased, although during 1914-15 and 1915-16 there was a temporary decrease due to the commencement of the Great War, but the year 1918-19 experienced an unprecedented increase in the consumption of liquor and a corresponding increase in the revenue and the causes as to this increased resort to liquor were, as stated in the report for that year, that in the first place, there was influenza prevailing in the autumn of 1918 and rightly or wrongly the belief gained ground that liquor was prophylactic against the disease and this popular belief brought about a very great demand for alcoholic drinks. Another cause for this increase in the consumption of

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liquor arose out of the unprecedented recruiting campaign in the Province in that year. The freshly recruited youths on receiving considerable advances spent a good deal on liquor. In some districts the location of military units was another cause in the increased resort to liquor. The fourth and the fifth causes for this increase were that the larger prices obtained for the agricultural produce put an unusually large amount of money in the hands of the rural population and that the working classes received a higher scale of wages and more employment. This surplus was freely spent on liquor. I have enumerated these causes to show that the present policy is hopelessly ineffective and it cannot place any check on the people to resort to liquor whenever they have sufficient money to spend and spare. An increase in prosperity amongst the agricultural and labouring classes, in fact amongst all classes, means a simultaneous and more than proportionate increase in their drink bills. Then there was further increase in the following year and the causes of that increase are stated to be (*i*) that people had more money to spend, and (*ii*) the new freedom of manners; and this happened although the prices of liquor were higher and the number of shops smaller. Similar causes contributed to the multiplication of revenue in 1920-21 to Rs. 97,75,345, and the existing excise policy proved of no avail.

Then in the year 1921-22, the gross excise income dropped suddenly. The honourable members of the House must not think that this fall was due to any efforts on the part of the Government, but it was due mainly to the political agitation and the vigorous propaganda on the part of political reformers towards total prohibition. The report for that year mentions that the decrease was due (*i*) to decreased consumption, (*ii*) increased illicit distillation, (*iii*) change of system for fixing retail license fees, and (*iv*) political agitation. In 1922-23 the revenue still went down and the effect of the efforts of political reformers were recognised as is mentioned on page 4 of the Government report for the year and I will, Sir, with your permission read a few lines from that report:—

> "It is impossible to say to what extent illicit liquor has displaced licit liquor, but it can confidently be asserted that the displacement certainly is not to the full amount of the difference between the figures of consumption in the year under report (1·88 lakhs) and the previous (3·01 lakhs). It is certain that the reduction is partly to be attributed to the effects of political reformers, who have really persuaded some people to restrict their taste for alcohol."

I have read this quotation in support of my second contention that the policy of total prohibition is the only policy which can effectively check this evil of drink. When the people were asked to refrain from the use of liquor whether licit or illicit there was, it is undeniable, a considerable decrease in the consumption both of licit and illicit liquor. Therefore it is high time that the Government be persuaded to abandon its present policy and if we delay the matter any further, the question of abandoning the present policy will grow all the more difficult as the years pass on.

That the present policy of the Government is ineffective is further shown by the repeated and unsuccessful attempts to stop the illicit distillation. Early in the year 1914, it was found necessary that certain amendments should be made in the Excise Law of the Province and consequently certain amendments were in fact made and Sir, you will find a mention of

these in the report for the year 1913-14 on the excise administration. The report opens with the following paragraph :—

> "The Punjab Excise Act became law on February 1st, 1914. The penalties for the breach of the Excise law have now been greatly enhanced, mainly in the period of imprisonment which may be imposed. The new Act goes much further than its predecessor in the provision it makes for insisting on the orderly management of licensed premises, and imposes a fine of Rs. 500 if the licensee permits disorder on his premises, or sells liquor or drugs to a drunken person or a person apparently under 18 years of age, or (if he be licensed for consumption on the premises) employs a woman or a child under 16 on his licensed premises. A Magistrate can now take cognisance of the most important excise offences on his own knowledge or suspicion and in the absence of proof to the contrary the possession of certain exciseable articles must be presumed to be illicit possession. The responsibility of employers for certain offences committed by their agents is also provided for. The power of search without warrant by night or day, and without the presence of a Police Constable, has been given to officers of a grade which has since been determined by the Local Government as that of a Sub-Inspector. Statutory provision has been made for the ascertainment of public opinion in regard to the grant of new licences, and the rules on this subject will shortly be issued. And a new obligation has been placed on the owners and occupiers of land to assist the Excise Administration. The new Act came into force too late to have any appreciable effect on the year's working, but it is confidently hoped that it will greatly strengthen the hands of the administration in dealing with Excise offences."

But, Sir, it was soon found out that barring improvements in certain matters of detail, amendments had failed to achieve the chief object with which they were made and consequently necessity for further amendments was felt, and only last year we had to provide for enhanced punishments for offences against Excise law. But these further amendments also failed to bring about satisfactory results and if I may say, you cannot hope to improve the present state of affairs unless the present excise policy is abandoned for the policy of total prohibition. The evil of drink can be rooted out only if both the Government and the people make a united effort against the existence of this evil. You cannot persuade the people to stop the use of illicit liquor if you have got in one of your hands a glass of licit liquor and to the use of which you do not object but rather on the contrary invite. If we are really anxious to put an end to this evil, we must take care that we do not create a taste for it. If we keep open to everybody the shops of licit liquor, we are sure to create a taste amongst the public and once the taste is created, we are sure to fail in dissuading the people to resort to illicit distillation which costs them many times less than the licit liquor. Thus it is that each generation has followed in the footsteps of its predecessor and the younger generations have not been saved from the unwholesome and ruinous temptation.

Sir, I need not detain the House long by dilating on the many evils of drink. It is an admitted fact that it is harmful both economically and morally. The doctors are also unanimous on this point that the consumption of liquor adversely affects the health of the person addicted to it. If there were any people in any country who used to laugh at the reformers of the evil of drink, that class of people has now disappeared and the recent Great War has brought about a revolution in the ideas of men in all countries and now we find everywhere the propaganda being carried on vigorously that there should be total prohibition. For example America has taken the lead in adopting the policy of total prohibition. The Russian Government decided during the Great War to root out this evil from the country and France also followed suit. In an address before the Society of

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Civil Engineers of France, Mr. Victor Cambon spoke as follows amidst the applause of his numerous hearers :—

"I have seen Brittany villages where 40 per cent. of the conscripts are invalided, sad victims of the alcoholism of their parents. All the rest are at the front, but how many will come back? And it is from these 40 per cent of human wrecks that the Bretons are going to perpetuate their race."

"We shall undoubtedly defeat Germany," declared Mr. Cambon who knows our adversaries thoroughly "but if we do not cut off alcohol to-day, alcoho will cut us off to-morrow."

It appears from the above quotation that the French people regarded alcohol a dangerous enemy, more dangerous than the Germans. In England the movement against the use of liquor was begun and its use was stopped in the royal palaces by His Majesty the King Emperor. Mr. Lloyd George denounced it in many of his speeches both in England and America. Therefore it is in the fitness of things that we should also adopt the policy of total prohibition. I admit that the opposition against the use of liquor in our country is not so keen as it was in America and other countries which agitated for prohibition but that is because the evil of drink does not exist in this country in the same horrible shape as it assumed in many of those countries. There the things had at one time come to such a pass that it had come to be regarded as out of fashion to use water for the purpose of drinking, and distilled or fermented liquors were universally employed, and the state of affairs could be described in the words: "Water, water every where. But not a drop to drink."

We should benefit by the experience of countries like America and must not allow the evil to spread to an extent to which it spread there, lest we also should have to spend millions of money and work day and night for 50 years or more to get rid of the evil, as had to be done in America.

Sir, in order that I might not be called an extremist, I have purposely divided my resolution into three parts. It allows sufficient scope to adopt any convenient scheme to achieve the object I have placed before the Council. I do not say that the present system should be abandoned at once but we must keep total prohibition as the goal in view, and I will not even object to any scheme that the Honourable Minister or the Financial Commissioner might bring forward if the object of total prohibition is achieved thereby. In order that the same charge might not be levelled against me with which my honourable friend Raja Sahib was charged just now when he presented his resolution, giving details of the scheme, I have tried to put no definite scheme, but I have proposed in the second part of my resolution that a committee should be appointed to go into the whole question and to suggest means to make the new policy a success. I hope the Government will consider the question favourably and will give due consideration to the public opinion which is clearly in favour of total prohibition. I also hope that it will not postpone the matter any further, because postponement will entail greater difficulties.

The Budget this year shows a surplus of 76 lakhs of rupees and although it includes an amount of extraordinary receipts yet instead of expending the sum for any other purposes as is intended to be done at Simla in June, the Government will be well advised to utilise the amount on a scheme for the

total prohibition of liquor. Next year too we expect a surplus. Above all this we are paying, in spite of the remission of last year, one crore and thirty-one lakhs of contribution to the Government of India. It has to be remitted in the near future. Therefore now is the most opportune moment to embark on a policy of total prohibition. But if all these sources of revenues are spent up in other schemes in a few years the position will become graver still. In view of this there will be felt at the present moment no difficulty so far as the financial side of the question is concerned and that is the only difficulty, so far as I understand, that stands in the way of the acceptance of the policy of total prohibition.

Mr. President : The honourable member has already spoken for about 35 minutes. I hope he will finish his speech very soon.

Maulvi Mazhar Ali Azhar (continued in Urdu) : Sir, the objection as to the financial difficulty can be met in another way also. The income that Government derives from the sale of liquor comes from the pocket of the people of this Province. It is not the people of foreign countries or I should say it is not the angels who come and drop gold and silver coins in the bottles of liquor. Therefore the people of the Province can be asked to contribute to the revenue in some other shape as well.

In closing my remarks I would say that the income that we derive from this Department cannot be called a proper income. As Sir John Maynard in his Budget speech said "that a man who seeks to persuade us to abandon or abate so rich a public heritage to give away lands or to reduce or weaken the right to land revenue upon them, is sowing a 'harvest of regrets'", so would I say that by sticking to the present policy we should not gather a harvest of immorality.

With these words, Sir, I commend the resolution to the acceptance of the House.

Mr. President : The resolution moved is—

"This Council recommends to the Government—

(*a*) to abandon its present excise policy for a policy of total prohibition ;

(*b*) to take early steps to appoint a committee to go into the whole matter and to suggest means to make the new policy a success ; and

(*c*) to take such other action as may be necessary or advisable to enable the Government to embark on the new policy."

The question is that that resolution be adopted.

Mr. C. M. King (Financial Commissioner) : Sir, the resolution which has been put before the House is one of very great importance involving as it does a considerable change in the excise policy of this Government, and I should have thought that when moving a resolution involving such a great change the mover would have given us some reason why this great change should be made. He would presumably have pointed out the great evils that resulted from the existing policy and the urgent necessity of stopping that policy and adverting to some other policy in the interests of the nation at large. I have listened to his speech with the closest attention and I have not found in it any such statement as to warrant such a change as he has now suggested to Government. He has in brief words stated what the present policy is. It is to obtain the largest amount of revenue from the smallest amount of consump-

[Mr. C. M. King.]

tion. That is the policy laid down by the Government of India and it is being consistently followed by the Punjab Government. But, Sir, he has not expanded that brief description of policy; he has not told us in detail what we have done to follow out that policy. For the last 15 years and over we have gradually raised the still head duty upon liquor and side by side with that, at intervals, we have strengthened the law with regard to illicit distillation and excise generally, and we have tried not only to keep down the consumption of licit liquor but to root out illicit consumption altogether; and I think we may claim to have reached a very fair measure of success. Not only that. It will be within the recollection of many members of this House that when this House passed a resolution inviting the Government to adopt a policy of local option, Government brought forward a Bill which afterwards became law—the present Punjab Local Option Act which has been in operation for over a year. I should say that was an instrument given to the people who if they wished could use it in the direction in which the honourable mover of the resolution desires to move the whole Punjab Government and the whole province. That is to say, various local bodies could have got themselves empowered under that Act and could themselves within their own jurisdiction have taken steps to reduce the number of shops or the hours of sale or have exercised other powers which are given to them under that Act. As a matter of fact I find that although that Act has been in force for over a year, considerably over a year, so far only nineteen local bodies have asked to be empowered. I will remind the members of this House that the local bodies which could be empowered under this Act are not only municipalities, district boards and small towns but notified areas. I do not quite remember the full number of such bodies, but I think it is somewhere in the neighbourhood of 200 in the Punjab. Out of that number only 19 have asked to be empowered under that Act. Besides being empowered under the Act, as the first step there was something else which the local body could do. I find that out of the 19 there are only six that took further steps under the Act. If they wanted complete prohibition and if there was a demand for prohibition among the people they could have used this Act. One would have imagined that here at any rate was a chance which they could have used at once. But out of the 19 local bodies which had got themselves empowered under the Act only six have taken further steps. They have passed resolutions asking for complete closure of shops within their area. That resolution having been passed the next step is the referendum. As you are aware, on the referendum, if two-thirds of the voters of a local body vote for the complete closure of the shops within the area controlled by that local body they can with certain exceptions have the shops closed. A referendum was held at six places, Rawalpindi, Mianwali, Ludhiana, Ferozepore, Tohana and Rohtak, and of these six places, the only place in which the result of the referendum has supported the local body its desire for curtailing the facilities for obtaining drink has been the small notified area of Tohana with 1,052 voters. All the other municipal committees have had nothing to do with it. Some of the figures produced are so ridiculously small that it is apparent from them that the very members of the municipal committees who had unanimously voted that the number of shops at which liquor could be sold within their area should be reduced or abolished entirely could not have joined in the vote at the time of the actual referendum. I would quote from the figures that I have. At Rawalpindi—I have not got the figures of the total electorate—but I do know that exactly seven people came up to vote for total prohibition in that area, and I think the voting

capacity was somewhere near 7,000. At Ludhiana with voting capacity of 12,500, they had to have two referenda, because on the first occasion, no one turned up to vote. On the second occasion, only four people were thoughtful enough to come and vote. The municipal committee of Ludhiana contains I think, 30 persons and therefore, 26 out of these 30 persons who voted for complete prohibition must have abstained from voting when the time came to exercise a referendum. In Ferozepore which contains 8,150 voters, only 19 people turned up to vote. Of these 14 voted for and 5 against. As I have already said, in the Small Town of Tohana which contains 1,052 voters, 802 decided to have total prohibition and according to their decision total prohibition will be extended to them and their shops will be closed. In Rohtak which consists of 4,075 persons, less than 1,000 turned up to vote. The account which I have given you so far about the working of Local Option Act will show you the great desire there is for prohibition throughout the country, how eagerly the people desire it and how if it was offered to them, every man, woman and child would come forward to ask for it! Here we have the Local Option Act which can enable the people to do everything that they desire in the direction of prohibition and which can give them every conceivable thing that they want within limits in the direction of total prohibition, and this is the state of affairs in the country! Mark you, the Local Option Act applies to rural areas as well as to municipal areas and this is the result that we see! In the face of this I wonder at the honourable mover having the hardihood to suggest that there is a general demand for total prohibition in this province.

That, Sir, is one aspect of the Local Option Act. I may mention in that connection another matter. The question of giving facilities to obtain licit liquor was put before the Amritsar District Board—I may say here that the Amritsar District Board is not working the Local Option Act—when the question of increasing the facilities for obtaining licit liquor within the limits of the Board was put before it—because there had been a great deal of illicit distillation going on in that district—one member after another got up and said that it was impossible to stop illicit distillation and that it would be unfair to stop it unless greater facilities were given for obtaining licit liquor. I turn now to the actual methods which the honourable mover desires to adopt. He wishes us to embark on a policy of total prohibition. But I notice that he has not in the least enlightened us as to how we shall embark upon that policy. It is easy enough in this Council Chamber to pass a law or to pass a resolution—it is only a matter of a few hours—to the effect that henceforward no liquor shall be sold under the authority of the Government. It is easy enough to do that, but how are you going to enforce the actual prohibition against the consumption of alcohol in your villages? Everyone knows that in the villages sugarcane is converted into *gur* and *gur* is converted into liquor within a few hours. How are you going to stop that? The honourable mover of this resolution seems to think that the mere fact that we shall stop the sale of licit liquor will induce the persons who are in the habit of consuming alcohol not only to cease from consuming licit liquor but also to abstain from consuming illicit liquor. I can assure him that he is terribly mistaken if he thinks so. All the records serve to point in the direction that if you cut off a man's licit supply, he will inevitably turn to illicit liquor. In fact, we find that our policy in reducing the number of

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places at which licit liquor could be obtained has probably been carried too far. A man has now very often in most places to walk on an average something like 30 miles in order to get a drink. What is the natural result of that? He does not walk 30 miles to get his drink but he has recourse to illicit liquor. While we are discussing this point, I wish to mention another difficulty which the honourable the mover of the resolution has not really considered at all. It is this. The Punjab does not form a homogeneous province. It is intersected by Native States. How are those Indian States to be brought into line with our policy? I may say, here, that we have an Excise Board, an unofficial sort of body. The members of the Indian States and the administrative head of the Excise administration in this Province all meet together and discuss general excise policy. I can assure the House that there is not the smallest chance, as far as I can see of those members of the Excise Board consenting to a line of policy at all re-embling total prohibition. We shall then have this: you will have not only the danger of illicit distillation in villages, but the added danger of smuggling from those Indian States into British territory and the further danger of friction between the States and this Province, a friction which is happily entirely absent from the present position. There are in fact many persons who believe that total prohibition cannot be worked in this Province only, but in the whole of India. Some people go further and say that a policy of total prohibition is impossible unless it is applicable to the whole world. Personally I think it is hopeless to expect it. We shall probably have to suppress all means of obtaining alcohol and that is almost an impossible thing to do.

Then, Sir, as to the policy which this Government has adopted, I have already said that it has always been the policy of the Government to derive the greatest amount of revenue from the smallest amount of consumption. A reference to the figures of shops which were licensed 20 years ago as compared with the number of shops licensed now and the figures of consumption amply proves this. In 1906-07 there were 1,292 shops of country spirit and the number at the time of the last report was 517. That is a reduction to $\frac{2}{5}$ths of what was before. The area served per shop was 74 square miles in 1906-07 whereas it is now 186 square miles. Is it possible to cut it lower than that? The number of population per shop was 15,700 in 1906-07 and it is now 40,000. A contemplation of these figures has led me—I will not say the Punjab Government because I have not consulted the Honourable Minister—a contemplation of these figures has led me regretfully to the conclusion that we have gone too far in the direction of restricting legitimate sources of supply as far as country liquor is concerned and the result has been in some areas greatly to increase illicit consumption, and the further result is that we have been obliged to take special measures to enable persons in those areas notorious for illicit distillation to obtain licit supply. It has been said, Sir, that the general sentiment of the people is entirely in favour of this resolution, but I have already given reasons for supposing that it is not so. Other reasons seem to me to be the fact that the general assumption that is made that the Hindu, the Musalman and the Sikh religions prohibit liquor to their votaries is not altogether correct. Or even if it is correct, certainly in some cases prohibition is more honoured in the breach than in the observance. I do not wish to make indivious distinctions and I will not single out any particular community, but I will say that in the central parts of the Punjab

and certain newly colonised areas, the number of illicit stills and the number of cases of illicit distillation are enormously greater than those in certain other parts. These areas are largely inhabited by one particular community. With regard to the general question of a religious prohibition, so far as that particular community is concerned all I can say is that it is perfectly clear that no regard is paid to the religious direction in favour of prohibition.

Is it desired that the resources of the State shall be used to cause these people to obey their religious behests? That would be pure tyranny. . . .

Professor Ruchi Ram Sahni: Has recruitment in the army anything to do with that, Sir?

Mr. C. M. King: Absolutely nothing. In some of the most heavily recruited areas in the Province there is not one case of illicit distillation.

I am afraid I have taken more than the time allowed me I hope that the Council will think many times before it commits itself to a policy which I believe is quite impossible to carry out and in that hope I leave the decision to the House.

Sardar Randhir Singh Kalaswala [Sialkot-*cum*-Gurdaspur (Sikh), Rural] (Urdu): Sir, my honourable friend has proposed a resolution which seeks to deprive us of the best fruit of paradise (Laughter). According to the honourable member's faith, there is a paradise and in this paradise you get wine as one of the dainties of the place (Loud laughter). (A voice:—This is absolutely wrong). Sir, I do not know how it is, but God is said to have created a paradise where He provides the inmates with wine. I do not know whether God is wrong or right (Laughter). . . . .

Mian Abdul Aziz: I object to these remarks. The honourable member does not understand the meaning of *sharabunatahura* and I object to his remarks on religious basis.

Sardar Randhir Singh (continued in Urdu): I may have misunderstood. Sir, I do not rise to sympathise with the evil of drink, nor do I wish to see any increase in the consumption of liquor, but I do not agree with the honourable member's proposal as it is. Sir, it has been proposed that a scheme should be formulated to stop the drink trade But, no scheme will ever stop it, unless you entirely change the minds of the people. Chaudhri Afzal Haq has just now told us that you cannot stop milch cow slaughter through legislation, unless your leaders preach a voluntary abstinence from the slaughter. Similar can be said of drink. If it is wrong in principle to stop cow slaughter by force, it is equally wrong to stop drink by force and so it should also be entrusted to those leaders to whom Chaudhri Afzal Haq wishes to hand over the work of changing public mind against cow slaughter. Look at cocaine. This is an article which is not produced in India. And though Government have tried to stop its consumption, people still take it. I, therefore, submit Sir, that you cannot stop people from doing a thing by force. You can only do so through persuasion and preaching. If you close all the shops where people can have licit drink the result will be that they will take to illicit drink. Sir, illicitly distilled wine is very injurious to health (laughter) Do not doubt my statement but take my word for it. It is really very injurious and by passing this resolution you will encourage its consumption. We should take no step that may lead to an increased distillation of illicit wine. This will while diminishing our revenues also lead to the increased illicit

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distillation. The people must drink. If they cannot get it lawfully, they will try to obtain it by unlawful means. Sir, I enquire what will be the consequences of the loss of revenue. The loss will be made good from "us." We have on the table an amendment to be moved by Dr. Gokul Chand Narang that the loss of revenue be made up by an increase in the water rate. Do you want the water rate to be increased? If so, you are welcome to vote for the resolution. Now, Sir, it has been suggested that this revenue is a harvest of immorality. This is not correct. A man purchases a bottle of liquor for Rs. 3, a thing which he could himself produce for 8 annas only. This means he pays 2½ Rs. more as a fine for the habit of drink. Thus you impose a penalty of Rs. 2½ for every bottle of liquor consumed. Now, even if you pass a law prohibiting the liquor trade, you will impose fines on those who violate the law. I, therefore, submit that if then even you are to impose fines, it is better that you let the present system of fine go on. Any other way will end in loss of revenue and increase of the consumption of illicit drink. Honourable member had better propose a resolution which may result in giving an impetus to the temperance movement. With these words I oppose the resolution.

Chaudhri Afzal Haq [Hoshiarpur-*cum*-Ludhiana-Rural] (Urdu): Sir, before proceeding with my arguments in favour of the resolution, I like to answer the objections and arguments advanced against the resolution. Sir, the Financial Commissioner has stated that people did not themselves take advantage of the law of the land to effect prohibition and he ascribed it to the indifference of the people. But, Sir, I shall presently show that it is not so. He told us how out of so many Municipalities and District Boards only 19 passed the resolution for local option and how out of these only 6 took further action on it and how the results obtained are very discouraging. In reply to this, I want to submit the case of Rawalpindi to show how highly placed officials snub the people in their efforts in this direction. The Municipality of Rawalpindi passed a resolution in favour of total prohibition on which the Deputy Commissioner of the place appointed a certain day for recording their opinion about the resolution. But the citizens of Rawalpindi assembled in a mass meeting considered one day to be too short a time for the record of opinion by the whole people of Rawalpindi. They therefore requested the Deputy Commissioner to increase the number of days fixed for voting. But the Deputy Commissioner did not give any satisfactory reply to this resolution. The people met again in another meeting and appointed a deputation to see the Deputy Commissioner and request him to appoint more than one day and also to make it a public holiday so that Government officials may also get a chance to record their vote. But this deputation was treated with scant courtesy. They were kept waiting for a long time outside, and they returned disappointed, even after they were granted a hearing. . . . .

Mr. C. M. King: Sir, may I explain on this point? The statement made is quite wrong. The point is that it was not only one day. One day was originally fixed but that was extended to two days on a representation and then to four days on a further representation. There were four days allowed for it. The deputation which waited on the Deputy Commissioner consisted of I think 200 people. The Deputy Commissioner could not admit them all inside the bungalow. He saw them in the garden of his house and there he talked to them in the most friendly manner possible.

Chaudhri Afzal Haq (continued in Urdu) : Sir, the deputation consisted of only five members one belonging to the Sikh community, three to the Hindu and one to the Muslim communities . . . .

Mr. King : Information given me is that there were 200 people. These have been the leaders who came in.

Chaudhri Afzal Haq (continued in Urdu): Sir, here is a question which I will read and which I framed while I was at Rawalpindi. This reads :—

(*a*) Is it a fact that the Rawalpindi Municipal Committee passed a resolution sometime back prohibiting the sale of liquor within the limits of the municipality ?

(*b*) Is it a fact that the Deputy Commissioner, Rawalpindi, called upon the public of Rawalpindi to record their vote on this question at the polling station ?

(*c*) Is it also a fact that the Deputy Commissioner appointed only one day for recording such votes ?

(*d*) Is it a fact that the public of Rawalpindi assembling in a mass meeting requested the Deputy Commissioner to extend the number of days fixed for recording the votes and to grant leave to Government servants for recording their votes ?

(*e*) Is it a fact that a deputation of leading citizens of Rawalpindi also waited upon the Deputy Commissioner to reconsider his decision ?

(*f*) Is it a fact that the Deputy Commissioner, Rawalpindi, did not agree with their view point and did not treat them courteously ?

(*g*) Is it a fact that in another mass meeting the public protested against the attitude of the Deputy Commissioner and also resolved not to record their vote in protest ?

(*h*) If the answers to the above be in the affirmative will Government be pleased to state if they have since instructed the Deputy Commissioner to reconsider his decision and take the necessary steps to ease the situation ?

Mr. C. M. King : Will not the honourable member read the reply given to this question ?

Chaudhri Afzal Haq (continued in Urdu) : I have received no reply to this question so far.

The Council then adjourned till 2 P. M. on Tuesday, the 2nd March 1926.

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PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Tuesday, the 2nd March 1926.

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

QUESTIONS AND ANSWERS.

OFFICERS IN THE IRRIGATION SECRETARIAT.

2607. Dr. Gokul Chand Narang: (*a*) Will the Government be pleased to state what is the normal number of officers now-a-days in the Irrigation Secretariat including Under-Secretaries and officers on special duty who are of the rank of Executive Engineers?

(*b*) How many of the above posts have been filled by Indians so far?

(*c*) Has the Government considered the advisability of filling up fifty per cent. of these posts by Indians? If so, with what result?

The Honourable Mian Sir Fazl-i-Husain.

(*a*) 6.

(*b*) 1.

(*c*) No. It is hardly necessary to do so, as the increase of the Indian element in the Service is in the natural course of events likely to be reflected in the Secretariat as well.

HINDU RAJPUTS IN THE PROVINCIAL AND IMPERIAL BRANCHES OF CERTAIN SERVICES.

2608. Chaudhri Ram Singh: (*a*) With reference to the answer to Question No. 2055* put on the 30th November 1925, will Government please state the number of Hindu Rajputs employed in the Provincial and Imperial Branches of the following services:—

Civil Service, Forest Service, Police Service and Education Service?

(*b*) Does the Government propose to make an appropriate increase in their number in these services in view of their military and other services?

Mr. J. M. Dunnett: The honourable member is referred to the general reply to Council questions† Nos. 1961—1975 given on 14th December 1925.

INCOME FROM RESIN FROM SHAMILAT FORESTS OF THE HOSHIARPUR DISTRICT.

2609. Chaudhri Ram Singh: Will Government please state the income during the last two years from Resin obtained from Shamilat forests

*Vol. VIII-B, pages 1816-17.

†Vol. VIII-B, pages 1167—81 and Appendix VIII, page cxli

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of the Hoshiarpur District, and what portion of it was distributed to the owners of these forests ?

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

2610. *Cancelled.*

SONS OF MILITARY EMPLOYEES AND SCHOLARSHIPS.

2611. Chaudhri Ram Singh : With reference to the answer to Question* No. 2011 put on 30th November 1925, will Government enquire and lay on the table a statement showing—

(*i*) the number of those military employees whose sons do not get any scholarships at all ;

(*ii*) the number of those military employees to whose sons scholarships were paid but have since been withheld ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : In view of the fact that the arrangements for the award of military scholarships are being revised in accordance with the terms of C. M. No. 11802-A., dated October 26, 1925 (a copy of which has been sent to the honourable member), it is considered that the accumulation of facts and figures dealing with past history would not be commensurate with the time and labour involved.

2. The following amounts have been spent from provincial revenues on these scholarships :—

(*a*) 1921-22—Rs. 81,000.

(*b*) 1922-23—Rs. 2,90,000.

(*c*) 1923-24—Rs. 3,53,000.

(*d*) 1924-25—Rs. 2,71,000.

MIDDLE AND HIGH SCHOOLS FOR GIRLS IN THE KANGRA DISTRICT.

2612. Chaudhri Ram Singh : Will the Government please state the number of middle and high schools in the Kangra District open for girls ? If the answer to this be nil, does it propose to open middle and high Schools for girls in the Kangra District in the near future ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*a*) One.

(*b*) Does not arise.

HINDI AND SANSKRIT PATHSHALLAS.

2613. Chaudhri Ram Singh : Will Government please state the number of Hindi and Sanskrit Pathshallas in the province that get Government grants-in-aid ? Will it also please state the number of such Pathshallas in each district and the total grant made to them during the last three years ?

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* Vol. VIII-B, page 1310.

The Honourable Rai Sahib Chaudhri Chhotu Ram: Government does not give direct grants to such institutions, which may be assisted by local bodies in accordance with the rules.

OPIUM IN THE KANGRA DISTRICT.

2614. Chaudhri Ram Singh: (*a*) Will Government please state if it is aware of the fact that *ilaqas* Kulu and Saraj in the Kangra district produce a great quantity of opium, and that the zamindars depend largely on the production of opium alone?

(*b*) Is it also a fact that hundreds of maunds of opium are lying with the cultivators and the wholesale dealers since 1923-24 for lack of sale?

The Honourable Sardar Jogendra Singh: (*a*) Government is aware of the fact that some opium is produced in parts of the Kulu Sub-Division. Government does not think that the zamindars are more dependent on the opium crop than they are on other crops. It is incorrect to say that they are largely dependent on the production of opium alone. The area under poppy is only 2 per cent. of the cultivated area.

(*b*) It is probable that there is at present a surplus stock of opium in the Sub-Division. Government is not aware that this surplus amounts to hundreds of maunds. Arrangements are being made for the gradual extinction of opium cultivated in the Kulu Sub-Division and in the Simla District and Simla Hill States. These arrangements include a scheme for the disposal of these surplus stocks. The Member will find the future policy defined in the opening speech of His Excellency the Viceroy made at the opening of the Council of State.

GRANT OF LAND FOR SERVICE IN POPULARISING CO-OPERATIVE SOCIETIES.

2615. Chaudhri Ram Singh: Will Government please state the number of persons who have been granted land in recognition of their services in the popularisation of the co-operative societies and the number of squares each got?

Will it also please state the number of—

(*i*) Hindus, (*ii*) Muslims and (*iii*) Sikhs among them and how many of them were paid servants and how many rendered honorary services?

The Honourable Sardar Jogendra Singh: No grants have been made to individuals for co-operative services. Six grants, amounting to 100 rectangles in all, were made in 1922 to selected co-operative societies as a reward for good work. The societies are open to all communities.

CORRUPTION IN THE SERVICES.

2616. Chaudhri Afzal Haq: (*a*) Is it a fact that the Superintendent of Police, Jullundur, has issued a circular to all the upper and lower subordinates under him that he will not promote nor recommend for

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promotion any person who is not strictly honest, and that efficiency without honesty will not count at the time of considering the respective claims of the subordinates for promotion ?

(b) If so, will the Government be pleased to state —

(i) whether any other District Superintendents of Police have issued similar circulars ; and

(ii) whether the Government is considering the advisability of issuing instructions to all the heads of the departments to issue similar circulars to all the public servants serving under them ?

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

PRINCIPLE OF JAIL ADMINISTRATION.

2617. Chaudhri Afzal Haq : (a) Is Government aware of the fact that the Indian Jails Commission unanimously supported the view that the main object of the jail administration is to reform the prisoners ?

(b) If so, has this principle been embodied in the Punjab Jail Manual. If not, why not ?

The Honourable Sir John Maynard :

(a) Yes.
(b) Yes.

Chaudhri Afzal Haq : Will the Government please state the paragraph of the Jail Manual where the principle has been embodied ?

The Honourable Sir John Maynard : The principle of reformation has been embodied in the rules regulating remission and the rules regarding appointment of convict officials and also certain other matters.

INCREASE IN CRIME AND POLICE EXPENDITURE.

2618. Chaudhri Afzal Haq : (a) Is it a fact that the number of dacoities in the province have increased four-fold and the number of robberies have increased two-fold since the year 1918 ?

(b) Is it a fact that the total expenditure on the police has risen from Rs. 59 lakhs in 1913-14 to 114 lakhs in 1923-24 ?

The Honourable Sir John Maynard :

(a) Yes.
(b) No.

ENTRUSTING OF CRIMINAL TRIBES TO THE CARE OF MISSIONARIES.

2619. Chaudhri Afzal Haq : (a) With reference to the Punjab Administration Report for the year 1923-24, page 23, paragraph 33, will the Government be pleased to state —

(a) the number of Bhangalis employed at Holta and entrusted to the care of the Rev. Ford ; and

(b) the number of Bhangali boys attending the weaving school and looked after by the Canadian mission ?

(*ii*) Is Government aware that the public opinion is against entrusting the men of the criminal tribes and convicts to the care of missionary societies? If so, will the Government be pleased to state why they still continue to entrust the men of criminal tribes to the care of missionary societies?

(*iii*) Will the Government be pleased to state the number of men of the criminal tribes who are entrusted to the care of missionary societies and the number of those amongst them who were converted to Christianity?

The Honourable Mian Sir Fazl-i-Husain:

(*i*) (*a*) 110 adults and 67 children.

(*b*) 27.

(*ii*) No.

(*iii*) 453 men are at present entrusted to the care of the missionary societies. Of these, 64 are reported to have become Salvationists and 41 more wish to become Salvationists, and are being taught accordingly.

Chaudhri Afzal Haq: Will the Government please refrain from entrusting these criminals to the care of missionary societies in future?

The Honourable Mian Sir Fazl-i-Husain: If the honourable member will make a constructive suggestion instead of a destructive one, Government will be very pleased to consider it.

Chaudhri Afzal Haq: Will the Government please keep them in Government institutions meant for the care of these criminals?

The Honourable Mian Sir Fazl-i-Husain: There is no Government religion in this country and therefore Government has to allow such institutions as wish to take care of these people subject to those people being willing to be taken care of by the institutions, to do so.

COMPANIES ENGAGED IN DISCOVERING OIL SPRINGS.

2620. Chaudhri Afzal Haq: Will the Government be pleased to state—

(*a*) the names and number of those companies that are sinking wells for the discovery of oil springs in the neighbourhood of Khaur field and elsewhere in the province;

(*b*) whether those companies are exclusively Indian or European or both combined;

(*c*) the working capital of each such company; and

(*d*) whether any grant is given by Government to any of those companies engaged in sinking wells for the discovery of oil springs?

The Honourable Mian Sir Fazl-i-Husain: (*a*) Only one Company is at present engaged in sinking wells for the discovery of oil springs in the neighbourhood of Khaur and elsewhere in the province, namely the Attock Oil Company, Limited.

[Hon'ble Mian Sir Fazl-i-Husain.]

(b) This Company is incorporated in England, and it is not known exactly who are the shareholders.

(c) Its working capital is £ 1,500,000.

(d) No grant has ever been given by Government to this or any other Company prospecting for oil.

EXCISE LICENCES.

2621. Chaudhri Afzal Haq: (a) With reference to the Punjab Administration Report for 1923-24, page 31, paragraph 51, will the Government be pleased to state whether they still pursue the policy of not increasing the number of retail licences as stated in the said paragraph?

(b) If so, will the Government be pleased to say whether it is not a fact that orders have now been issued to the excise officers to take necessary steps to increase the number of licences?

The Honourable Sardar Jogendra Singh: (a) The passage cited in the Punjab Administration Report does not lay down policy such as that suggested by the honourable member.

(b) Does not arise, but it may be stated for the information of the honourable member that new shops have been opened only in areas notorious for illicit distillation.

SALE OF LIQUOR AT BARS OF CINEMAS AND THEATRES.

2622. Chaudhri Afzal Haq: (a) With reference to the Punjab Administration Report for 1923-24, page 34, paragraph 58, will the Government be pleased to state the number of those local bodies which recommended the sale of liquor at bars of cinemas and theatres after the cancellation of these licences by the Government?

(b) Is it a fact that the Lahore Municipal Committee is one of those local bodies which recommended the grant of liquor licences to cinemas and theatres?

(c) Is it a fact that the Muhammadan public of Lahore protested against the conduct of the Lahore Municipal Committee in recommending the grant of such licence?

(d) If so, will the Government be pleased to say whether they are again considering the advisability of cancelling such licences?

The Honourable Sardar Jogendra Singh:

(a) 3.

(b) Yes.

(c) No such protest was made to Government.

(d) No.

LOSS IN THE CENTRAL JAIL, MONTGOMERY.

2623. Chaudhri Afzal Haq: With reference to the report on the Administration of Jails for 1923-24, page 13, last sub-paragraph of paragraph 24, will the Government be pleased to state the result of the inquiry

which was made with respect to the loss of Rs. 84,554 in the Central Jail, Montgomery?

The Honourable Sir John Maynard: Steps are being taken to fix the responsibility. The whole process of accounting in connection with jail manufactures is also being made the subject of an exhaustive enquiry, the results of which are not likely to mature for some time.

IMPROVEMENT OF SHAHPUR JAIL.

2624. Chaudhri Afzal Haq: With reference to the following remarks in the report of the Public Health Commissioner with the Government of India for the year 1922, with respect to Shahpur jail, *viz.*,—

> "The apparent benefit as judged by the admission and death rates for pulmonary tuberculosis will doubtless stimulate the desire to provide a ready up-to-date jail for this purpose";

will the Government be pleased to state whether they have done anything to improve the Shahpur Jail to meet the wishes of the Commissioner of Public Health?

The Honourable Sir John Maynard: The answer to this question is not ready. But if the honourable member means to ask whether there is any proposal at present to construct a new Shahpur jail, the answer is no.

SMALL-POX IN THE PROVINCE.

2625. Chaudhri Afzal Haq: (*a*) With reference to the notes on vaccination in the Punjab for the year 1924-25, page 2, paragraph 4, which says :—

> "that the annual small-pox death rate for the past 45 years has exhibited a well marked trend in the direction of diminution which is due to no other cause but vaccination",

will the Government be pleased to say whether they are aware of the fact that death rate on account of small-pox is highest this year (1925)?

(*b*) If so, will the Government be pleased to state the reasons for the same?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (*a*) Although the smallpox death rate has shown a distinct decline during the past 45 years, epidemics of considerable severity are still apt to occur at intervals of approximately 5 years. As the result of one of these epidemices the smallpox death rate in 1925 was higher than in any year since 1920, but the death rate in 1925 has been exceeded on 38 occasions during the past 59 years.

(*b*) The cause of the increase in the year 1925 is the fact that in spite of the measures taken to extend vaccination a large section of the population still remains unvaccinated.

VACCINATION ACT.

2626. Chaudhri Afzal Haq: With reference to the letter No. 3920-S. (H.-Sany.), dated the 2nd October 1925, from the Secretary, Transferred Departments, to the Director of Public Health, Punjab, will the Government be pleased to say—

(*a*) why the Vaccination Act has not yet been applied to a dozen municipal committees; and

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(b) why in 20 municipalities, rules for the enforcement of Vaccination Act have not yet been made as referred to in the third paragraph of the letter; and

(c) when the Government intends to apply and enforce the Vaccination Act in the municipalities referred to in parts (a) and (b) of the question?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) Because applications have not been received under section 3 of the Vaccination Act.

(b) Government have no information.

(c) As soon as the municipal committees approach Government.

DAMAGES CAUSED BY THE CHAKKI CHANNEL.

2627. Chaudhri Afzal Haq: With reference to the answers to Question No. 2037* put on the 30th November 1925 and No. 2357† put on the 11th December 1925, will the Government be pleased to state whether in view of the complaints of the zamindars of the two districts of Hoshiarpur and Gurdaspur, Government proposes to appoint a small committee of experts to look into the question of damages caused by the Chakki Channel and to suggest remedial measures, if necessary?

The Honourable Mian Sir Fazl-i-Husain: The honourable member is informed that the Government has already issued orders for the institution of an enquiry into the matter, and the appointment of any further committee is, therefore, not necessary.

CONFERENCE OF THE INSPECTORS-GENERAL OF PRISONS.

2628. Chaudhri Afzal Haq: Will the Government be pleased to state whether the report of the proceedings of the Conference of the Inspectors-General of Prisons has reached the Government?

If so, will the Government be pleased to lay it on the table?

The Honourable Sir John Maynard: The report of these proceedings has not yet reached Government.

PROHIBITION AGAINST THE IMPORTATION OF AMERICAN GOODS.

2629. Chaudhri Afzal Haq: (a) Has the attention of the Government been invited to a Washington message, dated the 6th January 1926, that the American Department of Agriculture has issued an order prohibiting the importation of wheat into America from India, Australia, China, Japan and Spain?

(b) If so, will the Government be pleased to state—

(i) whether the Punjab Government is going to adopt similar prohibitory measures with respect to all American articles imported into this province by directing the local bodies to charge ten times the octroi tax on American goods; and

(ii) whether they are in correspondence with the Government of India for the necessary prohibitory measures against American imports?

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*Vol. VIII B, page 1303. †Vol. VIII-B, pages 1666-67.

The Honourable Sardar Jogendra Singh :

(*a*) Yes. The message also includes Italy and South Africa.

(*b*) The answer is in the negative.

LAND ACQUIRED FOR A REST-HOUSE AT MAHTIANA.

2630. Chaudhri Afzal Haq : (*a*) Will the Government be pleased to say if it is a fact that the District Board of Hoshiarpur several years ago acquired 50 ghamaon of land under the Land Acquisition Act for the construction of a rest-house at Mahtiana?

(*b*) Is it a fact that the land acquired is more than necessary for the rest-house?

(*c*) Is it a fact that 20 ghamaon of land have been given on lease by the district board to various zamindars ?

(*d*) If so, will the Government be pleased to say whether they are considering the advisability of returning this land referred to in (*b*) to the owners from whom it was actually acquired ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*a*) No. The rest-house was built on a part of the encamping ground at Mahtiana.

(*b*), (*c*) and (*d*) do not arise.

UPKEEP OF SHRINE HASAN BADAR DIN.

2631. Chaudhri Afzal Haq : (*a*) Is it a fact that Government pays Rs. 1,100 annually for the upkeep of shrine Hasan Badar Din in village Masanian, tahsil Batala, district Gurdaspur ?

(*b*) Is it a fact that there is a committee of five men who are elected as life managers to manage the shrine ?

(*c*) Is it a fact that the shrine is not managed in accordance with the instructions contained in the Financial Commissioners' letter, having no school or orphanage or any other benevolent institution under it ?

(*d*) Is it a fact that several thousand rupees are deposited in Banks in the name of the shrine ?

(*e*) If so, will the Government be pleased to say whether they are considering the advisability of ordering that—

(*i*) a fresh election be made to elect a new committee of managers once in every three years ;

(*ii*) a benevolent institution be started as laid down in the letter of the Financial Commissioner ?

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

OPEN AIR PRIMARY SCHOOLS.

2632. Chaudhri Afzal Haq : (*i*) With reference to the Punjab Administration Report for the year 1923-24, paragraph 172, will the Government be pleased to say—

(*a*) whether instead of increasing the supply of suitable school buildings as referred to in paragraph 172, they will encourage the open air primary schools for the rural population ; and

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(b) whether their attention has been invited to the working of Sir Rabindranath Tagore's open air schools in Bengal?

(ii) If the answer to part (b) of the question is in the negative, will the Government be pleased to say whether they are considering the advisability of sending any Punjab Educationist to study the scheme of Dr. Sir Rabindranath Tagore's open air school and to report how that scheme can be worked with advantage in this province?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (i) (a) Considerable advantage is now taken of shady trees, under which classes are taught, but buildings of the economical type, which are now being constructed, are indispensable.

(b) No.

(ii) No.

AMAN SABHAS AND LIBERAL LEAGUES.

2633. Chaudhri Afzal Haq: With reference to the answer to my question No. 2246* put on the 8th December 1925, will the Government be pleased to say —

(a) if it is not a fact that in spite of the instructions laid down in Rule 33 of the Government Servants Conduct Rules Government officials actually attended and took part in the formation of Aman Sabhas and Liberal Leagues; and

(b) if so, whether any officer was punished for this breach of Government Servants Conduct Rules?

The Honourable Sir John Maynard: (a) Government has no information.

(b) Does not arise.

NEWSPAPERS AND GOVERNMENT ADVERTISEMENTS.

2634. Chaudhri Afzal Haq: With reference to the answer to my Question No. 2002† put on the 6th July 1925, will the Government be pleased to say—

(a) if it is a fact that the "*Zamindar*" and "*Bandematram*" dailies were not prosecuted last year for their virulent attacks on Government;

(b) if it is a fact that Government did not even warn these papers last year for their virulent attacks, as referred to in the answer to a supplementary question; and, if so,

(c) whether the Government under the changed circumstances are considering the advisability of ordering the publication of Government advertisements in "*Bandematram*", "*Zamindar*" and "*Siasat*"?

*Vol. VIII-B, page 1529. | †Vol. VIII-B, page 1192.

The Honourable Sir John Maynard :

(*a*) Yes.

(*b*) Yes.

(*c*) No.

ECONOMIC CONDITION OF THE ZAMINDARS OF KANGRA DISTRICT.

2635. Chaudhri Ram Singh : (*a*) Will Government please state if any enquiry has been made into the economic condition of the zamindars of the Kangra district ? If so will it please also state—

(*i*) what is their economic condition ;

(*ii*) what is the amount of their mortgage and uncovered debts ;

(*iii*) the measures that have been or are proposed to be taken to improve the lot of the zamindars ?

(*b*) If no such inquiry has so far been made, does Government propose to consider the advisability of now holding an inquiry into the question detailed above ?

The Honourable Mian Sir Fazl-i-Husain : An inquiry has been made into the economic conditions of the inhabitants of a small part of Dehra Tahsil by the Board of Economic Inquiry (Rural Section) ; and the result will shortly be published by the Board.

INTERPELLATIONS AT DISTRICT BOARD MEETINGS.

2636. Chaudhri Ram Singh : (*a*) Will the Government be pleased to state whether there is any provision enabling the members of District Boards to put interpellations at the District Board meetings ?

(*b*) If the answer to (*a*) above be in the negative, will Government please state what action was taken with reference to the answer to question No. 1033,* asked on the 20th November 1924 ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*a*) There is no rule on the subject.

(*b*) Commissioners were asked to instruct Chairmen of all district boards that necessary facilities should be given to members who wished to raise at a meeting any question by means of formal interpellations, unless the question was obviously frivolous or improper.

ENGLISH MIDDLE AND HIGH SCHOOLS FOR GIRLS IN THE PUNJAB.

2637. Chaudhri Ram Singh : Will Government please state per district —

(*a*) the number of recognised English middle and high schools for girls in the Punjab ;

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*Vol. VII pages 541-42.

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(b) the number of such Government and District Boards girls schools in the Punjab ;

(c) the number of such private girls schools in the Punjab ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The honourable member is advised to consult the list of recognised secondary schools for boys and girls issued by the Education Department, Punjab, a copy of which has been sent to him.

RESOLUTIONS.

RESOLUTION *re* EXCISE POLICY—(*concluded.*)

Mr. President : The Council will now resume the discussion on the resolution *re* the excise policy.*

Chaudhri Afzal Haq [Hoshiarpur-*cum*-Ludhiana Rural] (Urdu) : Sir, yesterday, I was trying to show you that people are less to blame in the state of affairs that were described to have arisen at Rawalpindi and elsewhere. The fault lies mainly, if not absolutely, with the Government officers who have created such circumstances. I do not want to go into greater details, though I am in possession of enough evidence to show that what happened at Rawalpindi was also true of other places. The truth of the matter is that whatever may be the shortcomings of the people themselves, this cannot be denied that the responsibility of improving men's moral condition rests chiefly with the Government. The State is ever and everywhere responsible for the moral uplift of its people. Sir, all religions in India are agreed that drinking is bad. Under the circumstances, therefore, for the Government to say that, since people do not show any desire, there can be no total prohibition, is very unjustified. It is the duty of the Government to prevent crime and that, it has to do unmindful of the fact whether people keep committing crime or not. It is time for the Government to take advantage of the opportunity that is before it. Otherwise they will have to repent for the lost chance. Congress movement was at its zenith in 1920-21. It prohibited drink. Now it is again going to work having total prohibition as its end and aim and in fact Mr. Rajagopalacharya who is the right hand man of Mahatma Gandhi has again suggested that the next election should be fought on the question of prohibition. The time is fast coming when people will have to fight a decisive battle with the Government on this score. Then you will realise that the people who proposed the resolution a year in advance were actuated by very honest and sincere motives. They were the real well-wishers of the Government. We are not asking the Government to leap into unfathomed waters or uncharted seas. This is certainly not a new experiment to be tried by this Government for the first time. Another very important country has tried and

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* "This Council recommends to the Government—

(a) to abandon its present excise policy for a policy of total prohibition ;

(b) to take early steps to appoint a committee to go into the whole matter and to suggest means to make the new policy a success ; and

(c) to take such other action as may be necessary or advisable to enable the Government to embark on the new policy."

tried it successfully. I, of course, refer to America. She was the first country to root out of the land this unblest mother of a monstrous brood of evils. I shall not tell you in detail how it happened. I shall only touch upon certain important features of this great act. Before the prohibition the American Government was face to face with the same difficulties as our Government finds itself with. People were poor, there were general strikes, and crime was enormously increasing. But with the passing of the prohibition act dawned a new era in America. The clouds of misery were dispelled by the piercing rays of temperance and big factories grew in less than a year employing thousands of labourers at places where wine flowed and people weltered in misery. Labourers now feed themselves better, clothe themselves better and educate their children better and for all this they have a cause to thank the prohibition. The cry of the day is Dry America. I know there is an impression, due of course to the mischievous propaganda of the interested people, that prohibition in America has failed. Sir, I have been watching for the last two years very carefully the course of events in America and I have come to the conclusion that it has worked very successfully and has proved a veritable boon to the people. If you also want your country to be prosperous, if you want to see an end of all your misery in the rural areas, and if you want to see cheerful, smiling faces, contented, care free, debt free faces of your villagers, then strive hard to extirpate this mother of evils from your land. Last time when the demand for additional staff for excise was before the House, I submitted that we can have no sympathy with the Government in their pursuit of the present policy. With what show of reason can we regret the loss of revenue. We cannot honestly help the Government in the execution of this policy which has failed so miserably. And what is this policy. The policy of the Government is that the wine which people distil in their own homes with less cost is bad and illicit but the wine which the Government sells with its own seal fixed on it, is licit and worth consumption. In other words it means that Government want that there should be no competition. They want their own business to run successfully. They want their own profits. They care a fig for the people and their woes. If the Government have real sympathy with the people why then do they say that the wine with Government seal about it is good and the other is bad. If the one is bad the other is equally bad. And if it is bad, why not stop it altogether? In my opinion it is better to drink country made and home made wine than to drink wine manufactured in Government stills. It at least saves you some money. Now, Sir, how can any body follow a preacher who says, do not drink but who himself runs a wine shop. Similar is the case with the Government. In one breath they say we want to stop the people from drinking but at the same time they run their own shops. And, Sir, this is done in spite of our protests and their own protestations that the Government wants to stop the drink evil But how is it possible. To-day I have been told in reply to a question that no doubt Government have opened new shops and granted new licences, but this has been done at places where wine was distilled illicitly. But, Sir, have you ever tried to think why they distil illicitly and run risks for what they can get on payment? Sir, the reason is not far to seek. It is because of its dearness. Then, Sir, we have been taken to task for not preaching to the people not to drink. We shall certainly do so when you stop all sources of supply and close shops

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selling liquor. But when we tried to picket these wine shops, you know, Sir, how this very Government which is now so profuse in the expression of its sympathy with the temperance movement arrested and sent hundreds of people to jails for picketting the liquor shops. In my own district where I was Secretary to the Congress Committee and the President of the Khilafat Committee, many arrests were made. Government does not want to lose its revenue, but we on our part do not want to allow such immoral revenue to flow into the coffers of the State. We may be very few in numbers and our voice may not be very audible. But, Sir, truth is truth and the world to come will not say that when millions of people went into the open jaws of misery through the gateway of these liquor shops there was not a man in the Punjab to raise his voice against it. Election is fast approaching and those who vote against the resolution will do so at their own cost (hear, hear). Government will also have to repent the opportunity they are now going to lose. Sir, it is a self-evident fact that every doctor and every medical association is loud in the condemnation of liquor. Nobody says that this improves health. If this is so, I fail to understand those who say that consumption of liquor is healthy. Sir, speaking of the Excise policy, in the Punjab Administration report the Government has as a propaganda suggested that it is idle to think of prohibition in the present state of the country. Sir, I wanted to have an opportunity to say something about it, but the motion which I tabled could not for certain reasons come before the House. Government is anxious about its revenue and but for this it would leave this present policy, but it is a matter of surprise to note that the Financial Commissioner accuses the public of indifference. If this is so and the Government is willing to take action, let them listen to the people's grievances and change its policy. With these words I support the resolution.

Mr. Owen Roberts (Non-official, Nominated): Sir, I oppose this resolution, but I wish at the outset to make it clear to the honourable mover that he is not entirely without sympathy from me. In the face of the statement made to us by the Financial Commissioner yesterday, it appears to me to be absolutely idle to attempt to continue this debate. The Local Option Bill has left it open to all public bodies of a certain class to enforce prohibition within their own areas. Out of these 200 bodies which were authorised, only 19 have taken any steps in that direction at all. These facts are not contested and I submit, Sir, that even if this resolution were carried, the Government would not be justified in giving effect to it in these circumstances. It is a clear declaration on the part of the public that they are not prepared to accept prohibition. The subject is one which unfortunately rouses very strong feelings and in my desire to keep away from anything of that sort, I will confine myself in laying before the Council one set of figures. I am a visitor of the Punjab Mental Hospital and there is not a single meeting of that committee where cases do not come before us whose history is traceable to what is I am told *bhang* or *charas*. I have no idea of what *bhang* or *charas* is, but I will give you the statistics for the year 1924. Admissions under the head of intoxicants were under alcohol, 7, opium and morphia, 2, *cannabis indica*, which I understand is the father of *bhang* itself, 68; cocaine, nil. I mention cocaine because it is included among the predisposing causes and I wish to give certain figures under that head. The use of this drug has increased enormously in the last few years and the amount which is alleged to have been used for prescriptions

has risen from 6,788 grains in 1919-20 to 32,141 grains in 1923-24. The figures actually given are :—

	Grains.
1919-20	6,788
1922-23	25,494
1923-24	32,141

Sir, in the face of these facts, I would ask the Council where is the case for prohibition of alcohol To talk about prohibition of alcohol in the face of figures like these would amount to immoral window dressing. The trouble that arises in this country arises through drugs and not through alcohol. When I commenced my speech, I told the honourable mover that he had my sympathy to a certain extent. If the amendment which is tabled by my honourable friend Sardar Jodh Singh comes before us, I will be only too pleased to support it. I have seen the grossest abuses of licences here in Lahore. I made protests and I am pleased to say that notices have been put up in certain places to the effect that students will not be served. This does not go far enough. I would like to see the law strengthened so as to make it possible to punish with a fine of Rs. 500 in respect of each student served with alcohol. We have no right to create a big University centre and collect a large number of students if we do not control our licensing effectively. I am prepared to lend my support to the strengthening of the existing law but beyond this I am not prepared to go and I will oppose prohibition to the utmost of my ability.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) : Sir, I have been a teetotaller myself all my life and I would do anything to help the cause of temperance short of total prohibition, but I do not favour the proposal which is embodied in the resolution of the honourable mover.

I have great faith in the effect of educative propaganda and I contend that much can be achieved by it. Temperance societies in the Punjab have been doing very useful work and they have achieved much. I believe there is a greater scope for their work. I have suggested to them more than once that they may propose temperance readers for schools. I do not know whether that suggestion of mine has been adopted by the temperance societies or not, but I think there is great scope yet for their educative work. I am aware of the fact that in some western countries total prohibition exists, but it has not been in force long enough to give us an opportunity of arriving at a definite opinion as to the policy. In how many cases it is evaded and what amount of cheating and fraud is resorted to in evading the law, yet remains to be seen. Fancy the amount of moral degradation which the evasion of the law involves Besides this there is a good deal of difference between the circumstances in western countries and those of eastern countries. By religion and by tradition we are opposed to the habit of drinking. This is not the case with the people of western countries. We can hope to achieve much more by propaganda than the western countries do. Therefore resort to legislation would be a hasty one.

Besides, I find one other great difference between the western countries and our own country and that is this, that in India there is much greater estrangement between the police and the people than there is in the countries in which total prohibition has been introduced. Between the people and the officials there is a greater amount of

[D. B. Raja Narendra Nath.]

mutual co-operation and mutual appreciation in those countries which are self-governing than there is in India. Fancy the vast amount of power for oppression placed in the hands of the police and I cannot see how my friend, who has always been an advocate of freedom and liberty, can move a resolution which gives more power in the hands of officials than exists now.

Besides these general considerations there are several special reasons for which I am not prepared to support the resolution. The Honourable Minister, who is in charge of the Excise Department, is new to his office. He does not know what has been the effect so far of the restrictive laws that have been introduced. Some figures have been cited by Mr. King; the Publicity Bureau has issued some *communiqués* and it appears from them that illicit distillation has increased. Is this correct? To what extent has it increased? If total prohibition is introduced, Government will have to find ways and means for raising one crore of rupees or more. From the last budget I find that the excise revenue in the Punjab amounts to one crore of rupees. How is that money going to be found? Will there be additional taxation on the rural and urban classes, for both will have to bear the burden? People are already complaining of the slight addition made about a year ago. What will happen if a crore of rupees has to be found from somewhere? Taking all these things into consideration, considering that there are other ways of stopping the evil of drink and considering that the question bristles with difficulties, I would ask my honourable friends to withdaw the resolution and to give more time to the Honourable Minister to consider the case. I believe my friend the Honourable Minister is himself an advocate of temperance, but I think he will advocate temperance in temperate ways. Probably he is at one with the Persian poet who says :—

مے کہ رد نام کند اہل خرد را غلط ست
بلکہ مے نیشود از صحبت نادان بد نام

However, as I have said, I am myself a teetotaller and I would like the younger generations to be teetotallers, but I think that there ought to be caution and moderation in every contrivance and scheme that we adopt for achieving our object. Let not our object be frustrated by other evils that we introduce. After all it is a comparison of evils. For these reasons I request that my honourable friend may concede to my request and withdraw the resolution.

Khan Bahadur Chaudhri Fazl Ali [Gujrat East (Muhammadan), Urban] (Urdu): Sir, I thank my God that the desire for drink has never overcome me, nor have I tasted it throughout my life. I have always regarded the use of liquor as a great evil and therefore any proposal that would effectively check its spread, will receive my hearty support. It is not only from the religious point of view that the consumption of liquor ought to be condemned, but from the temporal point of view also its use is harmful and those who are engaged in the task of rooting out this evil deserve to be congratulated. I think that the resolution before us was never moved with a view to gain publicity for the fact that such and such a member moved the resolution and such and such other members supported it. I think further that the resolution was brought forward to further the end which has all along been in view of the Government and if that is so I am in full sympathy

with the principle underlying it. In this connection I might say that it is no use offering threats that the members of the Government will come to grief or they will have to repent afterwards if the former do not support the resolution and the latter does not accept it. We should always try to advance sound and cogent reasons in support of our proposal if we can.

As I have said before, I am in full sympathy with the principle of the resolution and if the members are not already aware of it, I might say that the Government too has never opposed this principle. From the language of the announcements that the Government has made from time to time it is sufficiently clear that it has always been favourably disposed to the policy of prohibition. The good intention of the Government can be further seen from the fact that it has placed a high price on liquor, evidently with a view that only a few rich people might be able to buy it, and that it might not be placed within the easy reach of every individual whether he is rich or poor. I am aware that this high price has induced certain sections of the people to resort to illicit distillation. This is quite natural and I may be allowed in this connection to narrate an incident that occurred recently within my jurisdiction. A gang of persons was detected and found to be in possession of about 1½ maunds of *charas* at Lala Musa Railway Station which they had smuggled into the Province from Yaghistan. On being arrested and made to give their statements, they disclosed the whole conspiracy and admitted that they had already smuggled *charas* into the Province to the extent of 10 to 15 maunds of the same. The motive with which they had done so was stated by them to be of making money thereby because in the far off parts of Yaghistan whence they were imported, *charas* was selling at the rate of Rs. 10 per seer, while in the Punjab it was selling at the rate of Rs. 80 per seer. This I have stated to show that it is natural to resort to such means whereby a thing can be had at low price when it is selling at a very high price and therefore the high price of liquor has brought about illicit distillation and import of illicit liquor from outside the Province. We will, therefore, be making quite a reasonable request if we ask the Government to take steps to stop this unlawful traffic so that the evil might be nipped in the bud. But knowing as we do that the Government has never hesitated to take any steps that might check this evil, it would have been much better if we had proposed that the Government should now adopt some immediate and effective measures to bring about the desired result. The resolution before us, on the other hand, does not appear to me to be one as would help us in reaching the goal in view. I do not mind and I think the public outside will not also mind bearing the burden of further taxation if they are assured that the policy of total prohibition as proposed will effectively cure the evil at present existing. For my part I am not at all sanguine that the resolution, if passed, will have the desired result. I am ashamed to acknowledge that our religion which totally prohibits the use of liquor should have failed to make us sober. Likewise the religions of other communities also prohibit the use of liquor, but they have likewise failed. And I ask where religions have failed, how can the Government be expected to succeed in rooting out the evil. I would, therefore, suggest that instead of being satisfied with shifting the blame on to the shoulders of the Government, we should organise private bodies and start vigorous propaganda towards total prohibition. If I can be of any help, I will also leave for some time my private engagements and offer my services for the work. I do not like this idea that every time we should move one or the other resolution

[K. B. Ch. Fazl Ali.]

perhaps to gain popularity in the public outside. Whenever it is intended to put any proposal, it behoves us to think twice before putting it whether it would serve the purpose in view. I think my Sikh friends will pardon me if I say that it was childish on their part to derive satisfaction from the mere fact that a law had been passed prohibiting the use of tobacco by the minors, when they know that it has never operated and is practically a dead letter. Since the passing of this law I have never seen any child having been arrested for smoking. Similarly, it would be no use pressing for the acceptance of the resolution when we know that it would serve no useful purpose except that it will place certain difficulties in the way of the Government.

So far as I can see there are only two methods which can be adopted to stop the consumption of liquor. One of them is to cut short the supply of illicit liquor and that is not very difficult although I must admit in passing that illicit distillation has increased in my *ilaqa*. The other method is to order arrests of the persons who may be found to have liquor in their possession or to have used it. I cannot say whether possession will be made a crime or the use of liquor. Whatever that may be, I leave it for the present. Now supposing the use of liquor has been declared unlawful and the Government has accordingly ordered that every villager found drinking should be arrested. I ask my friend the mover of the resolution and supporters of it whether they have ever thought what miseries—and I should say numberless miseries—this order will bring to the villagers where there are no doctors to examine the accused on the spot. We have always been complaining against the high-handedness of the police and if we give this additional power to the police, will we not be making the lot of the poor zamindars more miserable? I was really shocked to read in a magazine which is published at some place in America that since the adoption of the policy of total prohibition, the officers responsible have become highly corrupt. Do you want that here too the guilty and the innocent alike be made to fill the pockets of police officers?

It has been remarked that time is not far off when we will see a vigorous propaganda started against this present policy of the Government. I think we should wait for it, because, in my opinion, that is the only right course to pursue. To request the Government to help us in this matter is to give proof of our weakness. When certain members here can claim to possess so much influence with the public as to be able to revolutionise the whole system, then why is it that they do not take up the work themselves? If they claim to possess so much influence, there is no reason why they should fail to persuade the public to stop resorting to liquor shops, and if the public refrains from buying liquor, there will be nobody to buy it and consequently the Government will have to close the shops. I, for one, cannot suspect the *bonâ fides* of the Government when I see that it has gone to the length of prohibiting the growth of poppy without licence although this has adversely affected the interests of some zamindars. I am sure if we suggest some practicable scheme, the Government will never hesitate to adopt it.

Some honourable member remarked that the Government was opposing the policy of total prohibition because it feared that in that case it must close its liquor shops which were bringing in a fair amount of revenue. This charge, I say, is baseless. If we can say that liquor shops came into existence only with the advent of the British rule, we may be justified in levelling this charge against the Government. But that is not the fact. These shops existed even before and therefore it does not appear

reasonable to make such sweeping remarks. Before I sit down I would suggest to the honourable mover of the resolution that if he is really anxious to root out the evil of drink, the best course for him would be, in my opinion, to call a private meeting of some public-spirited men in which some practicable scheme might be discussed and if that meets with the approval of all of them, the same might with advantage be placed before the officer in charge of the department. There is no use pressing the present motion and the mover will be well advised to withdraw it.

Lt.-Col. W. C. H. Forster (Director of Public Health): Sir, I wish to speak against this resolution on purely technical and professional grounds. Supporters of prohibition advance many arguments for their position but in ultimate analysis their case rests on the postulated harmful effects of alcohol when abused. In effect the prohibitionists say that alcohol is a great and potent cause of invalidity, sickness, and mortality, and therefore it is our duty to prevent the consumption of alcohol. That I take to be the basic position of prohibitionists.

If pressed to catalogue the various forms of invalidity, sickness, and mortality attributable to alcohol, the prohibitionist turns to the medical profession for his evidence, so that in the long run he is dependent on my profession for the basal evidence on which his case is founded.

This aspect of the matter was treated very lightly by the honourable mover of the resolution before us. He quoted the vital statistics of America, England and other countries as favouring his views, and quoted some authority—I did not catch the name—as saying that 40 per cent. of a certain community were alcoholic wrecks.

Now, Sir, the mere mention of that particular figure—40 per cent.—always arouses suspicion in me. During my leave I attended, on behalf of this Government, some conferences dealing with certain scourges of mankind, and I was struck by the monotonous regularity with which the earnest exaggerator claims 40 per cent. as the toll taken by his particular pet scourge. The figure 40 per cent. is the hall-mark of the earnest exaggerator. I do not know what particular virtue it may have but possibly the earnest exaggerator prefers it to 50 per cent. for the reason that his audience might do a mental calculation say to themselves that is half the population, and disbelieve him. I do not for one moment accuse the honourable mover of the resolution of exaggeration, because he merely quoted somebody else, but apart from the question of exaggeration the honourable mover did not produce any of the evidence which is of vital importance to his case. The fact that alcohol can produce pathological conditions is not in dispute, but the honourable mover did not produce any evidence to show that the pathological effects of alcohol are common in this Province. He quoted statistics of other countries and by suggestion would like us to believe that a similar state of affairs prevails in the Province. Now, Sir, I submit that the *ad hoc* application of the vital statistics of other countries, or even of other provinces, to this Province is an absolutely unjustifiable proceeding.

Supposing in the case of any civilized community we desire to know the position with regard to the ravages of alcohol where would we expect to find the evidence of those ravages? We would look for them in the hospitals and asylums, the final certificate being given by the Pathological Departments serving those institutions. Now I happen to be particularly well qualified to speak with au-

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thority on the facts as disclosed by our hospitals, asylums, etc. I am a Pathologist and from the earliest days of my service I have been investigating the records of those institutions; as Professor of Pathology it was my business to closely study such matters; and at various times I have been detailed by the Government of the Punjab and the Government of India to carry out special investigation and have been given the necessary facilities for a close investigation of the records of our hospitals and institutions. Finally, for some years, as the administrative head of the Public Health Department, I have been in the position of one who audits the annual bills of mortality presented by the population. I may or may not have made good use of my opportunities but I think you will admit that I have certainly had unrivalled opportunities of learning the facts. What is the result of my experience? It is this. I came to the Punjab fresh from the British hospitals and schools and I naturally expected to find here the same conditions as had obtained elsewhere. What I did find was this—that leisons, clinical and pathological, directly due to alcohol where so uncommon as to be almost rare. That was a very striking thing for me because I had naturally expected to find the exact reverse. I had expected to find alcoholic leisons extremely common but on the contrary found that they were uncommon.

Well, Sir, that state of affairs, clinical and pathological, has obtained throughout the whole of my experience, and when it became my duty to teach the students of the Medical College the evil effects of alcohol I was in the unfortunate position of being unable to show them any specimens because our institutions had failed to provide them (laughter).

From my experience as a Pathologist I can say that leisons directly or even indirectly due to alcohol are uncommon in this Province. Finally, I come to my position as the auditor of the annual mortality bills and some of you will ask how I can offer any opinion on that basis seeing that the annual returns do not include a specific heading for alcoholism. That is a fair question to ask. The answer is that in my office I have much more detailed statistics than appear in my annual returns and secondly, I have methods, because I have a skilled staff for the purpose, by which I can ascertain the relative importance of various causes of mortality. As the result of my investigations I can tell this House that the total mortality fairly attributable to alcohol does not affect the mortality rate of this Province by a whole figure. It might affect the rate by a decimal point but not by a whole figure. In other words if from the annual mortality bills we were to subtract the total mortality fairly attributable to alcohol we would not reduce the mortality rate by whole figure. These then are the actual facts and I leave the honourable members of this House to place their own interpretations on them.

But, Sir, assuming that the prohibitionist accepts my figures and my interpretation of them he can face me with another question. He can say—I accept your figures and interpretations but you, as an exponent of preventive medicine, must admit that elsewhere alcohol has been productive of great evils and that the experience of other countries is that if no effort be taken to check the evil it grows. Surely you will admit that although alcohol is not yet a scourge of this Province it may become so, and it is our duty to prevent that unhappy state of affairs by prohibiting its consumption.

In reply, Sir, I say to the prohibitionist—Beware. In the evolutionary history of mankind one fact stands out prominently, namely, that as civilization progresses man's desire for mental exaltation correspondingly increases and he is always endeavouring to find some method for procuring such mental exaltation. He may find it in religion, or even in the excitement of the debate, but generally that mental exaltation is procured by some drug. Further, if you prohibit man from procuring by one particular method that which he seeks he will certainly turn to another. Alcohol is almost universally used by mankind for the purpose of procuring temporary mental exaltation and if you prohibit alcohol he will turn to other drugs. We have ample proof in this Province that this is a danger we must face. I had intended to quote figures with regard to the use of other drugs in the Province but my honourable friend Mr. Owen Roberts anticipated me. I will therefore content myself by saying that if any of you care to visit our Mental Hospital you will find that *charas*, and its derivative *bhang*, approximately produce nine to ten cases of mental ruin to one produced by any other drug. The figures for the consumption of cocaine have already been quoted by Mr. Owen Roberts, figures which show that in five years the consumption has increased fivefold, and so there is no necessity for me to repeat them.

I therefore oppose the motion on the ground that the facts do not reveal a state of affairs in regard to alcohol calling for any drastic action, certainly not for such drastic action as is proposed in the resolution. Secondly, to all thinking men and particularly to the honourable members on the opposition Benches, who have shown by the attitude towards this question that they think very clearly on the matter, I would emphasize the fact that there is the possibility of alcohol being substituted by much more dangerous drugs.

In conclusion I would say to the prohibitionist that quite apart from the proved inability of prohibition to prevent the consumption of alcohol as shown in America and Russia, quite apart from the lawlessness that follows the failure of prohibition as shown in America, Russia and to a cetain extent in this Province, quite apart from all these considerations, beware lest in seeking to eradicate an evil habit you drive the people into habits infinitely more pernicious (cheers).

Rai Bahadur Sir Gopal Das Bhandari (Non-official, Nominated): Sir, it may look somewhat surprising if I rise to oppose this resolution. I have not used nor even touched liquor during the whole of my life, but the reason for opposition on my part to this resolution is not far to seek. It appears to me that the resolution is not within the province of practical politics. To accuse Government that for the sake of its revenues it encourages intemperance, to my mind this appears to be a very serious charge and a baseless charge too. The Government has done its best under the circumstances to lower the consumption of liquor and if proof were needed the various enactments passed by the Government from time to time are sufficient evidence of the earnestness of the Government in this behalf. The Excise Act, the Local Option Act, the enhancement of period of punishment for excise offences, the passing of penal measures and the issuing of various circulars by the Financial Commissioner, all these are clear proof of the anxiety of Government to reduce the consumption of liquor and the charge that Government is indifferent in the matter is really baseless. My

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honourable friend, the mover of the resolution, must bear in mind one fact, namely, that in Islamic countries where the word of the Prophet is the word of God and where a religion that is claimed to be the best prevails, even in such countries, the Government have not been able to make them sober. The question of total prohibition has entirely failed in those countries. There god Bacchus is most devoutly worshiped. There are innumerable votaries who burn incense at the altar of Bacchus and the literature in those countries is full of praise for the liquor and if I am permitted, I will remind my honourable friend of the words of the great poet and philosopher Hafiz who says :—

بر ز حیات کے خورے
گر نہ بدام مے خورے
بادہ بخور و بیاد او
تازہ بتازہ نو بنو

which when translated into English means: 'How can you reap fruit of your life, if you do not regularly use liquor'.

Sayad Muhammad Husain: The honourable member is not interpreting the passage correctly.

Rai Bahadur Sir Gopal Das, Bhandari: I have read much more of the Persian language than any of the honourable members who are going to oppose me. I have yet to use another couplet which says :—

مئے دو سالہ

and I am not going to say what follows it. Who does not know the evil effects of alcohol? Manu's verdict and the Shastras and rules have all been ignored. What is the cause for so many people using alcohol? Some say that under the influence of liquor they completely forget all the worries. To me it seems that the tendency of man is to use a thing which removes all his physical distress be it ever so bad, if only it adds to his enjoyment of pleasure. He never wants to give it up. Those who use liquor tell me that it adds much to their happiness. (*Voices: No, no.*) I must say at the same time that there are many evils which have taken birth with world and they will die with the world. Gambling, falsehood, etc., are all much condemned by men. Go to any man who will condemn these most vehemently, but see whether he practises what he preaches. There are some people who consider from their own point of view that it is no evil to drink. Some think it enlivens the spirit, some think it brings more sound sleep, some think it is really a nervine tonic and some others think that it makes men forget all the worries and cares of this world (hear, hear). If such is human mind, can you be at all successful in enforcing total prohibition? I am afraid, not. One thing more I have to say; that is that the elements of Nature sometimes influence the use of liquor as the stars have got influence on the action of mankind. My own experience dictates to me that I am right in making the following remark:—At night when rain is drizzling, when there is the company of friends, when the black clouds rise to the sky like eagle, when the white clouds move about like doves, what is wanted at that time is but a bottle of liquor (laughter).

Sir, one argument urged was that we should have a referendum to the public. I know that people through fear of religion say at day time that drinking is bad but those very people at night indulge in it. (*Cries of no, no.*) I am saying what I consider to be the truth. If you come with me to the town, I will show you. However, what I mean is that in the present circumstances total prohibition is out of question and it is not a new thing that has been introduced by the British Government. Sir, we have to choose between two evils. If the liquor which is distilled under the rules or under excise law is baneful, I can positively say that illicit distilled liquor is still more baneful. There is no doubt about it; and if it is a fact then you have to choose between the two evils. (*A voice: you are an expert in these matters.*) Yes, I am more than an expert having had an experience of 45 years. What I say is, where is the guarantee that by total prohibition illicit distillation will cease? Is there any guarantee? If you go to the court as I do go to the court when people get an opportunity to go to take liquor from the license shop, I sometimes find the whole room is filled with the *mats* of *lahan*. Therefore I do think that the bigger evil is illicit distillation. Along with illicit distillation we shall be losing a large sum of money which we were getting in the form of excise duty. How is that money to be got from the people?

One word more and it is this. Should the innocent suffer for the sinners? We shall have to pay additional taxation and illicit distillation will go on. I think in these circumstances it will be highly unreasonable on the part of the mover of the resolution to press for it. Thus total prohibition is out of question.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan), Urban] (Urdu): Sir, almost all the speakers that have so far spoken for or against the resolution have claimed to be perfect teetotallers themselves and admitted that the use of liquor or any other excisable article is harmful. In spite of that the members who have opposed the resolution do not look on the policy of total prohibition with favour. I really wonder at this attitude of theirs, and I cannot understand how they advocate the use of a thing for others, which they consider harmful for themselves.

It has been contended that it is not possible to place any effective check on the import of illicit liquor or on illicit distillation, and that no law passed in this connection would root out this deep-rooted evil of drink altogether. I admit that it may be true to some extent. But that is no reason why we should give up all efforts in this direction as useless. It is a matter of common knowledge that in spite of the fact that Indian Penal Code has been in force for the last so many years, the crime has not altogether stopped. We cannot say that with the introduction of Indian Penal Code, the crimes have disappeared or that number of jails or jail population has appreciably decreased. I would rather say that the number of jails has since increased. That being so, it does not appear to be a sound reason that because it is not possible to stop illicit distillation altogether, the use of licit liquor should, continue to remain lawful.

Yesterday the Honourable Financial Commissioner was pleased to remark that the Government is anxious to stop this evil, but the people of the Province are not earnest about it. I would not offer any threats, just as my friend Chaudhri Afzl Haq did, but I would propose that if the Government is really anxious as it professes to be, it should issue orders to the effect that at the time of the next Council election, the voters, while voting for any candi-

[Lala Bodh Raj.]

date, should also cast their votes for or against the present excise policy of Government. That would be referendum in the real sense of the word and that will bring to light the real facts. Let prohibition be the plank of election in the coming Municipal or Council elections and the Government will find that only such candidates as have stood for prohibition shall be returned.

The Honourable Mian Sir Fazl-i-Husain : So that they might get liquor free ?

Lala Bodh Raj (continued in Urdu) : I wonder how this question could arise. The candidate, who is for prohibition policy, shall have no liquor to supply to his voters. If the Government is really anxious and sincere to put an end to the evil of drink, it can do so. It has been remarked by the Financial Commissioner that only 7 voters came forward in Rawalpindi when called upon to vote for prohibition and they did not attend in large numbers. These facts alone do not warrant the Government to presume that the people are not anxious to get rid of the evil, nor do they absolve the Government of the responsibility it owes to the people. I think from what the Financial Commissioner said yesterday that a deputation consisting of more than 200 men went to wait upon the Deputy Commissioner of Rawalpindi at his bungalow, we can very well conclude that there must have been several thousand people whom this large deputation represented. The reasons why the people of Rawalpindi refrained from going to the polling station are quite different from those that have been stated by the Financial Commissioner. If hereafter the Financial Commissioner finds that the real facts are different from what have been stated to him, he will see that another opportunity is given to the people of Rawalpindi to cast their votes on the subject of prohibition.

Another objection has been raised that the loss of nearly one crore of rupees in revenue will result if the policy of total prohibition is adopted. Wherefrom the money would come to feed the beneficent departments such as Education and Public Health ? The argument has no force for the loss in the revenue can be made good by levying some other form of taxation to which the people would not object because money lost has remained in their pockets.

My honourable friend Sir Gopal Das said that there was no reason why the innocent people should be made to suffer on account of the sins of others ; my friend forgets that he has a duty to owe to such people, who are his brethren, to raise their morale. If so, shall I ask him if he has done anything in this connection ? We know that temperance societies have not succeeded to achieve the desired results and it is why we request the Government to do its part of the duty particularly when it professes to be working for the same end. With that end in view the Government has been issuing instructions and circulars from time to time to put a stop to this evil. If the existing rules and law on the subject have failed to stop the evil, then it is a good reason that those rules and laws be made more strict and penal.

My friend Sardar Randhir Singh remarked that we would be encroaching upon the individual liberty of the people if we adopt measures to compel people to give up the use of drink. He advanced the argument that one who drinks has to pay heavier price for it and in a way he is fined for what he does. That is a still greater reason why we should save

the poor people from being fined. It is because of the present policy of the Government to provide facilities to the people to obtain liquor that the poor working classes fall into the evil habit of drink. We have to raise the social as well as the economic condition of the depressed and the low classes so that we may be able to advance towards the goal of responsible self-Government. The drink evil is cutting at our roots and we must stop it at any cost.

Mr. C. M. King: Sir, may I rise to a point of information? The honourable member who just sat down asked for information on a certain point, namely, the secret reasons which prevented the people who went to the Deputy Commissioner's house from refraining from going too far. On that point I can give information if I am allowed to do so.

Lala Bodh Raj: I think my friend Maulvi Mazhar Ali, Azhar, also is in possession of the whole information. But if the Honourable the Financial Commissioner likes to give the information he may do so.

Mr. President: The (Government) member will have his right of reply and can give the necessary information at that stage.

Mr. V. F. Gray (Punjab Chamber of Commerce and Trades Association): Sir, I have not heard all the speeches made, as I was not here yesterday, but I think what I have heard shows that most of the remarks that could possibly be said either for or against the resolution have been urged and I shall find it difficult to avoid repetition.

When one mentions prohibition one's thoughts at once turn to America as there legally it is an accomplished fact, but I wonder how many members of this House, certainly not more than 50 per cent., you will notice I refrain from saying 40 per cent. (laughter), realize the reasons why America adopted total prohibition. It was not solely because they objected to drinking, but largely because the saloons had become such tremendous powers in the country politically, they weilded so much power, they actually controlled the elections, and total prohibition was an easy means to break this power; it was not as I have already stated that total prohibition was really wanted by many. We all know the result, at least most of us do. I have spoken to many Americans who have been over to this country and from all accounts I gather that there is not a single middle class American who cannot get as much drink as he wants, though it is rather expensive. Prohibition in America has not stopped drinking, enormous as the sums spent on preventive measures have been. I know some of you think I am exaggerating, but only last week the department responsible for destroying all confiscated liquor had to ask for a rock crushing machine, as it was totally impossible to destroy the thousands and thousands of bottles per day by the means hitherto used. Do you want us to believe that when the quantities confiscated are so enormous that the quantities that go into consumption are not equally big to say the least? The people who supply the spirit are only doing so for the motives of gain, it must pay them, the quantity they get through without being caught must make it worth their while to lose the enormous amount through confiscation with the attendent fines. Drinking is undoubtedly rife in that country.

Sir, I should like the House with me to look at three western countries, America. England and Germany, pre-war Germany I mean. I ask the House, to allow me to introduce Germany as it is a country I knew fairly well and therefore can talk with some authority. In America you have total prohibition, in England you have what may be called restricted drinking, whilst in pre-war Germany drinking was practically unrestricted.

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In America you have more recorded cases of drunkenness than in England, and infinitely more crime. There are 1,000 murders a year in New York against 157 in London, or similar figures, I talk from memory. In England there is a fair amount of drunkenness, to my mind owing to the restricted hours of drinking, some people are inclined to drink more than they otherwise would because they know they cannot get it after certain hours, whilst during the 12 months I spent in Germany I did not see a single drunken man (hear, hear) and there drink could be had anywhere and at anytime, anybody could have a drink licence for the application and therefore drink could be purchased anywhere.

The only way to stop drink is public opinion, and I would like to suggest to the social reformer the opportunities offered if they would direct their activities to improving the standard of liquor. If supervision were exercised on quality, a great benefit would ensue, the stuff the distilleries often sell is bad enough, but the illicit stuff is far worse. If through supervision only matured spirit was sold, drink would lose a great deal of the harm done to people.

I do not think you have the right to shut out drink; restrict it, improve it, but don't prohibit it.

I rather think all the further arguments I intended to urge have already been advanced.

Beware if you attempt total prohibition that you do not drive the people to cocaine and other far worse evils. Other points such as the moral effect of illicit drinking in lessening respect for law and order have already been emphasized, I need not, therefore, dilate on these points. So with these few remarks, I oppose the resolution.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu): Sir, Excise Administration Report for the year 1924-25 shows that the revenue derived from liquor is Rs. 74,77,000. When this is what Government got as its profits you can imagine what the country lost. If calculated at the modest rate of 20 per cent. the profits which the Government derived show that the country lost somewhere near 4 or 5 crores of rupees. Sir, the plight of the people who are already steeped in misery when they are further bled can be better imagined than described. The people are poor, they are in debt, they are without education. When in addition to that they find such a rapid drain on their incomes they are bound to lose everything in the way of health, wealth and morals. The crime increases, the epidemics take their tolls and the country is bled white. But the pity is that in spite of all this the Financial Commissioner wants to know what evils it gives rise to. Sir, even the members who opposed the resolution admitted the evil results of drinking. Still the Financial Commissioner has his doubts about the evils which it mothers. Then, Sir, the Financial Commissioner and also Mr. Owen Roberts further doubt the genuineness of the desire of the people to have total prohibition for the reason that out of two hundred local bodies only 19 applied for the grant of right to exercise local option and out of these latter only six took further action in that direction. But, Sir, my surprise is not that only nineteen applied but rather on the other hand to see that even 19 dared apply for the grant of powers under the Act. Sir, the Act is a useless piece of legislation and does not serve the

purpose of the reformers. No Municipal Committee can close the liquor shops within its area without a plebiscite, for there is a provision that in case a Municipal Committee wishes to have total prohibition in its area, the two-thirds majority of the registered voters should record their votes in favour of the proposal. Now, Sir, the experience of the Government in the elections to the Council and other local bodies should have told them that as a rule only fifty per cent. of the voters exercise their right of vote. When such is the case where people make such vigorous propaganda and exert so much pressure on the people to record their vote how could two-thirds majority of the registered voters be expected to vote in the case of prohibition. . . . . .

Mr. King: No, Sir, the law allows any local body to reduce the number of shops within its area to one-third of the number which existed on the 31st of March, 1923. That it can do without referendum of any kind whatever.

Rana Firoz-ud-Din Khan: That is of no use. I am talking of section 5. (Then continued in Urdu): Section 5 is the only section which can serve our purpose. Section 4 is useless. What is the good if some three or four shops are closed. Under the circumstances the surprise is that even as many as 19 local bodies applied for the grant of this right. The Act is a dead letter. Sir, we have heard so much about Rawalpindi. At this place it was that during the days of non-co-operation shops were picketted for over two months. A large number of men were sentenced to imprisonment and many were beaten. Then is it conceivable that only seven would come to vote for prohibition? The Government should have tried to find the real cause of it. The reason for so few people coming forward to vote was that they abstained from voting as a protest against the attitude of the Deputy Commissioner. To infer that the people were indifferent about such a momentous question is to shut our eyes against facts. Sir, I have been surprised to note that most of the speakers who opposed the resolution confused the question with that of licit *versus* illicit liquor. The fact is that we want neither illicit nor licit liquor. We want to see the last of either of them, and to make illicit the consumption of either of them. I fail to understand why such a question should at all arise. As long as there is not total prohibition you cannot stop illicit distillation. For when a man is drunk you cannot tell whether he has taken licit or illicit liquor . . . . . .

The Honourable Mian Sir Fazl-i-Husain: The smell of the two is different.

Dr. Gokul Chand Narang: You appear to be a connoisseur.

Rana Firoz-ud-Din Khan: An expert may be able to find it and a Financial Commissioner or a Revenue Member may be able to tell whether he consumed licit or illicit liquor, but it is difficult for a layman to judge. We, therefore, want to stop the consumption of licit as well as illicit liquor. As long as there is licit liquor how can you stop the production and the consumption of the illicit liquor. Financial Commissioner has compared the figures about the number of shops from 1906—24. We are told that whereas in 1906 there were 1,219 shops in 1,924 there were only 516. But, Sir, how I wish that he could have told us that there was a similar decrease in the gallons consumed. Then I would have been glad to say that this policy has resulted in good and should be persistently followed. But, Sir, they only care for their revenue . . . . . .

Mr. C. M. King: I gave the figures. In 1906-07 the consumption was 402,000 gallons, whereas in 1923-24 it was 154,000 gallons.

Rana Firoz-ud-Din Khan: What are the figures for the last year?

Mr. C. M. King: 1923-24 is the last year for which I have the figures.

Rana Firoz-ud-Din Khan (Urdu): After the joint and serious efforts of the Congress, the Khilafat Committee, the Hindu Sabha and the Shiromani Gurdwara Parbandhak Committee in 1922-23-24, the consumption of liquor decreased considerably and the Government was forced to admit it. But after that the consumption again increased rapidly and the report of the last year says that the amount of liquor consumed was almost double the amount consumed in the previous years. The figures of 1923-24, therefore, are not reliable. Against these the figures of 1924-25 are more significant of the true state of affairs. It is written on page 4 of the report that the consumption of liquor has more than doubled. The decrease in 1923-24 was due to the intensive propaganda by the various religious, social and political bodies. Now, there is a reaction and consumption is again increasing. Sir, it would have still been a matter of great consolation to know that consumption of licit liquor has diminished. But on page 6, paragraph 9, of the Report for 1924-25 it is written—

"Without entering into elaborate calculations of last year we may assume that the increase in the consumption of licit country spirit represents a corresponding reduction in the consumption of illicit liquor. But even if this assumption is made, and, unfortunately, it can be borne out neither by facts nor by figures, it is evident that the preventive staff are faced with a colossal task in their efforts to deal with illicit distillation."

This shows that the consumption of both licit and illicit liquor has increased. If this, Sir, is the result of the policy which has been so doggedly followed for the last twenty years or so, we are more than justified in believing that the present policy has been a miserable failure. You need no stronger proof of that than your own reports. It is, therefore, time to adopt a better policy. If you want to stop illicit distillation, if you want to ensure the moral uplift of the country, if you want the material progress of the land, and if you want to save yourself from all the misery accompanying the drink habit then you can do nothing better than change the present policy for a better one. This is what the people demand. This is what your own good conscience dictates, and again this is what your own professions come to.

Sir, the Financial Commissioner talking of the religious injunctions against drink said that it was not the duty of the Government to force people to follow their religion. I agree with the soundness of the argument. But, Sir, the Government that provides means for the corruption and the moral degradation of the people is certainly open to serious objections.

Sir, whatever, may be the fate of the resolution the fact remains that it has been what may be called جامع الفرقين. It has been the happy cause of agreement between two extremes. My honourable friends Raja Narendra Nath and Khan Bahadur Chaudhri Fazal Ali have for once come to agree on a point. Not only this. It also seems to be very intoxicating, for even the cold frozen nerves of Sir Gopaldas have been excited, and he has talked poetry.

One great argument that has been advanced by my honourable friend Chaudhri Fazl Ali is that it is a matter of shame that inspite of its being religiously forbidden to all the Muslims, Hindus and Sikhs we have not been able to stop the consumption of liquor. Sir, no doubt it is a matter of very great shame, and our morals are being degraded day by day as we are learning more of the new civilization. But, Sir, I differ from the conclusion which he draws from this that if our religions have failed to stop this evil we should not seek the aid of the law. I hope he does not mean that our religions have now grown old and unfit. Human nature is prone to evil and it ignores religious checks to enforce which we have to take resort to law of the land. Our religions prohibit drinking, but as we cannot enforce our religious law we have to stop it through the aid of the established law of the land. When the morals of the people are degraded, when religious injunctions are ignored and precepts of sanitation are also not heeded and material loss even is not minded it is necessary that force should step in to save a people from the deplorable consequences. That is why Hafiz said:—

4 P. M.

نوا را تهز تو مے زن چو ذوق نغمه کمیابی
حدے را تیز تو مے خوان چو محمل را گران بینی—

(If people have lost interest in music, sing it loud, and if the camel is too heavily loaded then recite *huda*).

When, Sir, the disease has spread so much only drastic and radical measures can save men. Again it has been urged that the passing of the resolution will not stop illicit liquor and, for the matter of that, licit liquor. It is, therefore, better that we do not pass the resolution and keep it a dead letter. Now, Sir, it is a dangerous principle to lay down. There is hardly any crime which has been stopped by the passing of a law. Has murder, gambling or other serious crimes of every sort been stopped. If inspite of the Indian Penal Code and rigorous punishments prescribed under it, these crimes are still being committed, should we for that reason repeal all laws. We should rather apply the laws more vigorously.

Sir, we have seen that there can be no serious argument that can be advanced against the resolution. The only argument that the Government can advance is that of revenue. Sir, in reply to it my honourable friend Chaudhri Fazl Ali has already said, and I have full agreement with him that the people will not mind further taxation if the resolution is adopted.

Even now the money goes out of the pockets of our brethren who drink, and if that money is saved to them and a little out of it is taken in the form of taxation, I do not think they will mind it very much. Sir, it has been shown that the money which is received from this head is utilized in the nation-building departments. Sir, I do not consider there is any other nation-building process better than the one proposed in the resolution. The removal of the drink trade is the most urgent nation building process in the present state of the country. With these words I support the resolution.

Professor Ruchi Ram Sahni (Punjab University): Sir, it gives me sincere pleasure to see so much interest awakened in the question of prohibition. When I found through the kindness of the Financial Commissioner and the courtesy of the Information Bureau "cart loads of *lakan*" and "smuggled"

[Prof. Ruchi Ram Sahni.]

liquor being paraded before our eyes in their bulletins, I thought there was something up, and when this resolution on prohibition was sent to us my apprehensions were fully realised. Sir, I am glad to find that as many as six different persons, all belonging to one particular group, have tabled resolutions which are identical in their character. I am particularly pleased that my honourable friend, Maulvi Mazhar Ali, Azhar, has moved this resolution, because, if I mistake not, last year when a resolution on somewhat similar lines was intended to be moved in this Council, it was burked by some subtle influences which were set at work. I should consider myself very much mistaken, if I am wrong, when I say that the mover of to-day's resolution was one of the gentlemen who whispered some kind of *mantram* into the ears of my gallant friend, Subedar-Major Farman Ali Khan, when he was going to move a similar resolution last year. I have been, I need hardly say, an earnest advocate of temperance. I have done my little bit by preaching and practising this great doctrine. Not only this, I have carried on a *jehad* against the trinity of evils: impurity, intemperance and infidelity. That being so, I am particularly pleased when I find a phalanx of Mussalman Stalwarts standing side by side with those of us who have long been advocating the cause of temperance. Sir, I submit that the best way of pushing on the cause of temperance to a successful issue would be to submit to this Council a well considered plan, a well considered scheme, by adopting which the policy of prohibition could effectually be carried out. If these gentlemen are really anxious that prohibition should succeed in this Province, I would stand by their side in devising and presenting before this Council a scheme both as regards the steps by which prohibition may be achieved and the ways and means by which the deficit, which will be caused by the adoption of a policy of prohibition, shall be met, and all the rest of it. I would, therefore, submit that the best plan would be for the representatives of the various groups to meet outside the Council some time, with possibly one or two officials also, and go through the whole question of prohibition. It will not do to force a resolution of this kind through the Council because that will not be, I submit, the best way of achieving the end we all have in view. The best way of achieving the end will be to consider and frame a scheme and submit that scheme to Government through the advisory committee on excise. . . . .

Sayad Muhammad Husain: You do not seem to be in favour of the principle of prohibition.

Professor Ruchi Ram Sahni: I am an advocate of the principle of prohibition. There was a very interesting speech given here a little while ago. I call it interesting, although I could not very well follow it; it must have been interesting because the Government benches were cheering Colonel Forster. However, I could gather this much that he was a strong advocate of the present policy of Government. I do not wonder at it. I should have been very much surprised if it had been otherwise. But what I was really surprised at was this, that he ignored the very principle which he had laid down himself. He said we should regard the experience of this country to be supreme. May I ask if he knows that the experience of all the other doctors, I mean the Indian doctors, is opposed to his experience? I am sorry he is not here at the present moment, but I would like to know if the experience of all the other Indian doctors, Hindus, Muhammadans, Sikhs, and Christians, is of no value as compared with the experience of a

gentleman, a very able gentleman no doubt, but a gentleman who comes from a distant country, who does not get the opportunity, at least the same opportunity, of observing things as others have done. I had something to do with the collection of the opinions of the doctors of this Province, and the opinions of the doctors of all the other provinces were also collected on this great question. The Indian opinion was almost unanimous. I say almost unanimous simply for the sake of caution because I do not know if there was absolutely none on the other side, but I am quite safe when I say that the Indian medical opinion was almost unanimous in regard to the question of prohibition. The matter is a very simple one. The matter is one which this Council can put to practical test in the presence of myself and in the presence of my honourable friend Colonel Forster. The question is one of actual experiments. A series of experiments have been performed and the results have been given to the world. These experiments have been performed in various parts of the world. They show that even a moderate use of liquor is productive of blunting the edge of human intelligence. I will refer to one experiment. A man is given a long sum in arithmetic, say, a sum in addition. The same man after some time is given the same sum again and again and he is asked to do it as quickly as he can. It is found that the man who has had a little liquor in him does not do it quite so well, quite so accurately and quite so quickly as the same man when he is tried under different circumstances. That is one experiment. But the number of such experiments is very large. I do not want to take up the time of this Council with regard to the various kinds of experiments which have been tried. Psychology is now an experimental subject. It can easily be found at what speed thought travels or the reflex action proceeds in a particular case. The speed can be determined in terms of feet and inches, that is so many feet per second. Try these experiments on two persons or the same person in two different conditions and you will find the results at once. The experiments have been tried again and again and the result has been in favour of prohibition. My friend here, Mr. Gray, spoke of the smuggled liquor bottles in America and some special machinery being required for breaking the bottles because there were so many of them. I want to know, who are these people who are smuggling or trying to smuggle liquor into America? Certainly not the Americans. I want to know if diplomatic protests have not been made against those countries that have been importing or trying to import liquor into America. (A voice: Which are the countries?) I will not name them. The honourable members opposite know which countries were concerned. I am a regular reader of a 'Weekly' newspaper dealing with prohibition, and I do not know of any serious attempts being made to bring about the defeat of prohibition. The picture of a big machinery being set up for breaking the bottles as soon as they are seized is probably taken from the *Punch*! I am not sure if that is so. Of that my honourable friend will be able to say more definitely, but it looks as if the picture which has been presented to us in such lurid colours by Mr. Gray has been taken from the *Punch*. I can say a great deal more about that point, but it is not necessary. I once calculated the amount of *gur* which was used, and the quantity of wheat, rice and other wholesome, useful, eatable commodities which were used in the manufacture of liquor every year in this province. I found on calculation that if the value of the commodities was expressed in gold sovereigns and if the sovereigns were piled up one above the other they would form a column half a mile or three quarters of a mile in height. If the sovereigns representing the value of liquor consumed

[Prof. Ruchi Ram Sahni.]

were placed alongside of one another they would occupy a space extending from here to Ferozepore, from Ferozepore to Ludhiana and from Ludhiana back to Lahore. That is the amount of the value of the liquor which is consumed in this province. What harm the consumption of that liquor by human beings will bring about I leave it to others to calculate. I would only say that as a staunch believer in prohibition, I know that if we are to carry out that policy we can do so only if we are inspired by real, genuine and sound principles of morality or religion or social reform, but not on considerations of party politics, or any other considerations of that kind. At the best it may be a pyrrhic victory. Therefore I would request my honourable friend to withdraw this resolution (cheers). We can meet again, we can have a conference among ourselves, and we can then draw up a workable scheme though it may take, say, a month or two or even six months for taking practical and feasible steps towards prohibition. Probably the scheme will have to be spread over several years. That is the way how the problem should be approached and solved. Otherwise any other course of action will remain a thing on paper and not a thing of practicability. As a practical man, therefore, I appeal to my honourable friend to withdraw the resolution for the present. (Cheers).

Dr. Gokul Chand Narang [North-West Towns (Non-Muhammadan), Urban] : Sir, the speeches hitherto made in this House have either been made in support of the resolution or in opposition of the resolution except the speech of the last speaker which was in favour of the principle of the resolution but was against the resolution as it is framed. It is therefore time that a peace-maker should come to put an end to this controversy which has occupied the House for the best part of the day. I may say at once, following the example of other speakers, that I am in absolute sympathy with the principle in which this resolution has been moved, and I do not believe my honourable friend Maulvi Mazhar Ali, Azhar, to have been actuated by any sinister motives. If the resolution had been moved by somebody else, there might have been some room for suspicion, but I have always looked upon Maulvi Mazhar Ali as above all those petty considerations which might be attributed to some others. Therefore I have no hesitation in saying that I am in full sympathy with the honourable mover of this resolution. There are, however, so many serious objections raised against this resolution and there are so many classes of objectors to the resolution as it stands that I myself feel that the resolution as it stands cannot be passed with any great advantage to any section of the community. There are in the first instance people represented by my honourable friend Sardar Randhir Singh, who is not here at present, who are not prepared to accept the policy of prohibition on personal grounds and on other grounds as well. The picture that my honourable friend Sir Gopal Das drew was not a very fanciful picture, and there are many who delight in that picture and play a most important part in those scenes which have been depicted by Sir Gopal Das. Then there are others, though their number is very small, who do not consider it safe to show their faces to the public and yet who religiously believe that drink is a duty, a religious duty for them. There is a conspicuous section, though they are comparatively not so numerous, who sincerely believe that it is part of their religion to take liquor. The cases of these people should be considered. Polyandry is not liked by many people, but when any legislation is to be made provision will have to be made for those people who are given to polyandry in certain parts of the Punjab, I mean the hill tracts. Although therefore the number of such people who consider it their religious duty to sit

at the feet of Bacchus now and then on certain occasions is not large still their case will have to be considered before any legislation is resorted to. Then, there are other people who are conscientious objectors to every kind of legislation that imposes any restriction on the liberty of action and they say, "well, this is a matter which pertains to eating and drinking in our private life, who are you to legislate for us as to whether we shall eat beef, or pork or mutton or not eat anything at all, and so on?" I think this was one of the arguments which was urged by my friend Chaudhri Afzal Haq yesterday in his speech on the resolution which was proposed by Rai Sahib Lala Ganga Ram about the restriction of cow-killing (Hear, hear). Liberty of action should not be restrained, and there are people who say "to-day you are restricting us in the consumption of liquor, to-morrow you will say 'smoking is very bad for your health' and so on". Sardar Jodh Singh or somebody else may say that smoking is strictly prohibited in his religion, and so in order to put an end to it it is absolutely necessary that some sort of legislation should be made. In fact yesterday Chaudhri Afzal Haq pointed out that some people were not in favour of taking turnips and carrots and some such other things. There are a certain people who actually consider it a sin to take anything whose name begins with 'ga' such as *Gongtu* or *Gajar* because their names begin with the same letter with which the word 'gai' or cow begins. So, they naturally ask "We do not want your legislation. Who are you to legislate for us so far as eating and drinking are concerned"? I quite agree with the argument of Chaudhri Afzal Haq of yesterday, that when a thing which might not otherwise be resorted to is interdicted by law, it becomes more attractive simply because it is interdicted by Government. He was, for instance, referring yesterday to the question of cow killing and he said, 'when there was friendly and peaceful persuasion, people voluntarily gave up cow killing'. That is perfectly true. We know our Muhammadan brethren listened to the appeal of their Hindu countrymen, and out of regard for them and their sentiments they abstained to a very great extent from cow-killing. But he said, 'once you legislate you produce a sort of a spirit of revolt in the minds of the opposite party and they will say "we shall have none of your laws, we shall eat it with a vengeance"'. If I may use the same words which he used yesterday, *hirmat*, the thing which is forbidden, would become *hilat*, that is, legitimate.

Sir, I have only been referring to the objections of the various classes of people and pointing out that those objections will have to be considered. Then, Sir, there are other objections. Mr. Gray just now pointed out that America is under the necessity of improvising special machines for breaking bottles of liquor which are unlawfully imported into that country. The figures which have just been quoted for the country liquor alone consumed in this province in the year 1906 or so were something like 402,000. Even in the best year when all the religious and political movements were busily engaged in eradicating this evil, the number of gallons of country liquor consumed in the year 1923-24 was 154,000, and now according to the figure given by Rana Firoz-ud-Din Khan it was 272,000 gallons. I am speaking from memory, and I believe I am correct. Well, Sir, so many gallons of liquor represent so many bottles and so many cases and barrels of beer and country liquor. What is to become of them? People who have been dealing in liquor have spent thousands and thousands on this nefarious stock; I call it nefarious because it is nefarious, but they would be ruined if they were to be deprived of all their stock. These people

[Dr. Gokul Chand Narang.]

would say : "well, Mr. Mazhar Ali, you are pressing this resolution and other honourable members of this Council are supporting this resolution, you must all compensate us for the loss. We are going to sacrifice so much stock and then even if you compensate us for the loss, who is going to provide us with employment"? Thousands of people are making their living out of this nefarious trade, out of this beastly trade or call it by whatever name you like. I think no name would be too harsh for this trade and for this habit. You cannot shut your eyes to the fact that thousands of people are making their living by this trade. Some are engaged in manufacturing, others are engaged in filling the casks of beer, others are engaged in transporting it, others are engaged in bottling and some others are engaged in selling liquor, of course those who pay for it are engaged in drinking it. I have no sympathy for them. Surely among those who are earning a living out of this trade, there are thousands of Purbis who do not even take a drop of liquor, although some of these are notorious drunkards. We cannot ignore the case of these people if we introduce total prohibition.

Then, again, as has been pointed out there would be loss of revenue to the extent of a crore of rupees. There may be satisfactory replies to all these objections. What I am just now trying to point out is that there are so many objections and so many difficulties which have to be considered.

Either you adopt the solution which I have suggested in my second amendment or the case is not ripe for decision. You would find, Sir, that I have sent up two amendments, one is that the resolution be passed with the addition that the deficit in the revenue may be made up by proportionate increase in the *abiana* because that is one of the principal sources of the revenue. But I am sure it would not be acceptable to most of my honourable friends whether on the treasury benches, or on the cross benches or on the opposition benches. Then, where is that money to come from? Surely there would be loss of revenue by the immediate adoption of the policy of total prohibition, by a complete change in the excise policy of the Government. No doubt there is the surplus in the budget to fall back upon, and I shall only be very pleased if the Government is prepared to place that surplus at our disposal so that we may be able to introduce the policy of total prohibition. But it is no use hoping for things which will never come to pass. We know Honourable Sir John Maynard very well. We all know what he has been doing. We know that he is not going to starve others by feeding one department fat. We know all that, but we do not blame him for that. He wants to distribute that surplus equitably and proportionately to all the various departments of the Government, beneficent, administrative and others. Therefore that is really not a solution and the thing is not so easy as some of my honourable friends over there seem to think. All that I am pointing out is this. These things present a real difficulty. I know there are solutions, but those solutions are not embodied in the resolution. Now, for instance, this loss of revenue has been the cry of the Government of India also so far as the question of opium is concerned. When I was a little boy, I used to see beautiful poppy fields in my native village, beautiful poppy flowers very nice to look at. I did not know then that they were full of poison. We do not now see a single poppy stalk growing anywhere in that part of the country. What has happened? There was moral pressure brought to bear upon the Government of India which compelled them to devise means to make up the deficit caused by the loss in the opium revenue.

Professor Ruchi Ram Sahni : Opium revenue has been going up.

Dr. Gokul Chand Narang: If it has been going up it is not because of this, but may be for other reasons, even assuming what the learned professor says is true. There were times when the Government of India was urging this as an excuse and the Government of India was forcing the poor people who were unable to resist the temptation to accept opium from them so that the coffers of the Government of India may be filled with that filthy gold which was acquired by the sale of opium. No doubt these 70 or 80 lakhs or a crore of rupees which goes to the coffers of the Government by the sale of liquor is filthy gold, but in the absence of clean gold, you have to get on with this filthy gold unless you provide some cleaner gold to take its place. These are the real difficulties in the way of the adoption of total prohibition, and it is absolutely necessary that some methods should be devised to overcome these difficulties. What is that method? My honourable friend Professor Ruchi Ram has suggested that it would have been a very good thing if the honourable mover of the resolution had taken other members of the House into confidence including some officials and had placed before the House, a well developed scheme which might have commended itself to all the members of the House. But that has not been unfortunately done. I submit, Sir, that it is not even now too late. Therefore in the hope that something real would be done, I have ventured to send up notice of an amendment to this resolution which with your permission I shall now move. The amendment runs:—

> "That the following be substituted for the original resolution:—
>
> That this Council recommends to the Government that early steps be taken to appoint a committee consisting of official and non-official (elected) members of the Council to consider the advisability of the introduction of a policy of total prohibition in the Punjab and to suggest ways and means to make up the deficit caused by the loss of excise revenue in case the policy of total prohibition is adopted."

I venture to say that this amendment of mine would meet the requirements of the honourable mover of the resolution and also those of people like myself who are in entire sympathy with the spirit of the resolution. It would not injure Government in any way either, because I do not say that the policy of total prohibition should be adopted at once or that the present excise policy of the Government should be given up. What I say is this: that a committee may be appointed which would consider whether it is practicable and whether it is feasible to introduce the policy of total prohibition into this province and once that committee decides to recommend to the Government that the policy of total prohibition may be introduced, the Committee will also suggest ways and means by which the deficit caused in the revenue by the introduction of that policy would be made up. I venture therefore to hope that my amendment would meet the requirements of both sides of the House, and I hope that the Government also would support this amendment, and in any case if the Government cannot see its way to support this amendment, it would at least have the fairness to remain neutral on this point. I also hope that honourable mover of the resolution would accept the amendment so that an end may be put to this much discussed resolution.

Mr. President: The original question was:—

> "This Council recommends to the Government—
>
> (a) to abandon its present excise policy for a policy of total prohibition;
>
> (b) to take early steps to appoint a committee to go into the whole matter and to suggest means to make the new policy a success; and
>
> (c) to take such other action as may be necessary or advisable to enable the Government to embark on the new policy."

[Mr. President.]

since which an amendment has been moved :—

"That the following be substituted for the original resolution —

That this Council recommends to the Government that early steps be taken to appoint a committee consisting of official and non-official (elected) members of the Council to consider the advisability of the introduction of a policy of total prohibition in the Punjab and to suggest ways and means to make up the deficit caused by the loss of excise revenue in case the policy of total prohibition is adopted."

The question is that that amendment be made.

Sardar Jodh Singh [Sikh, Urban] : Sir, my honourable friend Dr. Narang has moved an amendment, but in giving his arguments in support of his amendment, he has supplied me with arguments against it. He told me that there was a religious sect in the Punjab, he did not mention its name, but I know that sect is known as *Wamamargis*, people belonging to which considered it their duty to drink. Can we in the face of that statement talk of total prohibition in the Punjab ? We are always jealous of our religious liberties in the land of the five rivers. Therefore, Sir, in the face of that the only thing that we can commend to the Government is to promote in the best possible way the cause of temperance. My honourable friends who have talked on the resolution have talked from religious, moral and physical points of view, but if we consider the question from a common-sense point of view, I think it would be much better because we are not come here as so many Hindus, Muhammadans, Sikhs and Christians to legislate upon matters which appeal to us from religious points of view, but we are here to legislate upon things which can be practically achieved. The first question that I would like to ask is this. If I had been assured that any resolution or enactment passed in this House would have the same effect as that which I read in the first page of the Holy Bible, namely, that when God said, let there be light, there was light, if I had been assured that enactments passed for the total prohibition would have the same effect as the word of God, and if total prohibition would follow as a result of such enactment, then I would be the first to vote for it (Hear, hear). I am a teetotaller. I neither drink nor smoke nor take *ganja*. .....

Dr. Gokul Chand, Narang : Not even *bhang* ?

Sardar Jodh Singh : Not even *bhang*. If you want me to speak from a religious point of view, we loathe smoking more than drinking, but I am not going to impose my own views, nor those of my own community upon the whole people of the Punjab. From the moral point of view, we all say that all intoxicants are bad without a single exception. Several honourable members who have spoken have brought forward the religious point of view. May I ask, Sir, does any religion permit of adultery, and yet prostitution is legalised and there is a law that permits prostitution. Why not raise a voice against that ? The fact is that men have not reached that state of perfection which religions require them to reach, and the common legislators do not follow in their legislation the dictates of religion. Therefore my submission is that if we import into our arguments, our religious bias or religious prejudice we will be raising a hornets' nest. The resolution contemplates to take up this practical question of how to stop drink in this land of five rivers. Now, Sir, my honourable friend Dr. Narang has pointed out the obvious difficulties in giving effect to this resolution. The question is not only to stop drinking, but also to make up the deficit in the revenue. Some honourable

members have pointed out to the surplus in the budget. I have not yet seen that surplus in the budget, not only the whole sum of one crore and twenty-five lakhs which is derived from excise revenue now will have to be sacrificed if we want to enfore prohibition rigidly, but we will have to employ double or perhaps treble the present excise staff in order to put an end to smuggling and illicit distillation. Therefore practically we will have to spend more than one crore and twenty-five lakhs on this business. Then there was an argument advanced by the honourable mover yesterday that those who are addicted to drinking by licit distillation go and take to illicit distillation. The question is whether there are at this moment a number of persons in this land of five rivers who are addicted to drinking. If so, by passing an enactment of prohibition will they will at once give it up? If they cannot stop drinking and even in the face of licit sale they resort to illicit distillation, does it not stand to reason that they will resort still more to illicit distillation, when prohibition is introduced? Sir, there is another practical difficulty to be taken into account. Punjab has got some Indian States in it and Indian States may not follow this policy of total prohibition. Distillation will go on there, and even now I know that Punjab Government—of course, I have not studied the excise policy—but I know that the Punjab Government pays a lot of money annually in the shape of excise bonus or something like that to the Indian States in order that illicit liqour distilled in their *ilaqa* may not be smuggled into the Punjab.

Then there is the colony of Britishers in the Punjab who do not think that drinking is a sin or a crime. Are we going to force them to prohibition also? Their number may be very small, but, as was said yesterday, when a man believes in cow-killing, why should we stop him from doing so? Amongst Hindus cow-killing is a heinous sin, as heinous as a sin can be. According to certain religions, drinking is a sin, but certainly we have no right to force that opinion on those who do not consider it a sin, be their number two or three or four.....

Professor Ruchi Ram, Sahni: Are there no Britishers in America, may I ask?

Sardar Jodh Singh: I come now to the much discussed question of America. Everybody in this House has admitted that in spite of the law of prohibition drinking is still going on there. As to what extent it is going on, there are two opinions. Some say it is greater than before, while others say it is to a much less extent. But no one has touched the question whether there was illicit distillation in America before prohibition was resorted to. If we find that the Americans were only using licit liquors before, then it means that they had habituated themselves to obeying the law on that point. What do we see in the Punjab? In spite of Mr. King and his excise staff, a new device has been invented by those who resort to illicit distillation. They make a *chhapar* in the field and carry on illicit distillation there. When an excise inspector has gone there and taken hold of everything, a sweeper with folded hands comes forward and says that he was carrying on the illicit distillation. Thus those really guilty escape scot free. (A voice: No, that is wrong). I know that this is actually being done. Sweepers and other low class people have gone to prison for the sake of those who can pay for their upkeep afterwards. But if the honourable gentlemen who challenges my statement knows of cases to the contrary he may get and give his own information to the House. The question is whether in America before prohibition

[Sardar Jodh Singh]
was introduced, illicit distillation went on to the extent it is going on in the Punjab. It is only then that we can profit by the example of America to some extent.

Then there is another question. Some one has said that next year people will come to the Council on the ticket of prohibition. Well then next year will be the year to pass the resolution. From the constitutional point of view none of us fought our elections to the present Council on the issue of prohibition. None of us came to this House with the ticket that we must vote for prohibition. Because we are teetotallers or because we are against drinking, it does not mean that we have got from our constituencies a mandate to vote for prohibition. When prohibition was introduced in America one special election was fought on that issue. Let the next election be fought on the issue of prohibition, and let the country return prohibitionists to this Council. Then will be the time for the Council to formulate the policy of prohibition.

Sir, I am sorry that most of the arguments which I wanted to advance have already been touched upon, and I will not, therefore, repeat them, but one or two things I will dilate upon. It was just brought to the notice of this House that in 1922 or 1923, there was a propaganda against drink with the result that drink stopped.

Professor Ruchi Ram, Sahni : Earlier than 1922 or 1923.

Sardar Jodh Singh : It may have been earlier, but someone made a mention of that. If that is so, then it means that propaganda is stronger than law. Why not resort to that propaganda again? We need not bother Government or request Government to sanction any policy when we have got that instrument in hand. ...

Sayad Muhammad Husain : It was prohibited.

Sardar Jodh Singh : That propaganda of asking people not to drink to my knowledge was not prohibited, and if it was prohibited, it was prohibited, because force was being applied by the propagandists. Government said it was not persuasion but force. ...

Sayad Muhammad Husain : What do you believe?

Sardar Jodh Singh : Sir, I believe that intoxicants are injurious to man's health. I believe that those who believe in religion should not use them. I believe in my own religion and do not use any intoxicant myself. I am against the use of any intoxicant, whether it be wine, or *bhang* or tobacco or anything else.....

Shaikh Mohammad Sadiq : Is tobacco an intoxicant? (Laughter)

Sardar Jodh Singh : But, Sir, the point is that no one in the Council, who is himself a teetotaller, has the right to force his views on the people of this province unless and until elections have been fought on that basis.

One more point on which emphasis was laid by Raja Narendra Nath was that we should whilst bringing forward this resolution keep in view one more fact. The Government Member whom we are forcing to adopt this policy is altogether new to this task. If I remember aright, this very resolution was tabled last year, but it was not moved. Is this the time to

move the resolution when he is quite new to his task and when he cannot explain to us even what practical difficulties lie in his way in accepting this resolution or acting up to it? There has been debate enough on this question, and I think the honourable mover of the amendment and the honourable mover of the resolution should withdraw because there has not been such unanimity of opinion in this House on the issue of total prohibition which would even permit them to press their resolution and amendments, and therefore I would ask them to leave it to the Honourable Minister to study the whole question, and then if they want to do so after a year or so they can bring the motion again and fight it out on the prohibition ticket in the elections backed by the authority of their electors and force Government to prohibition, of course making an exception in the case of those who by religion are forced to drink or who drink according to their social custom, and who do not consider it a crime or sin to drink.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan) Rural] : Sir, the amendment is now before the House and a good deal has been said on the resolution. I do not wish to say any more on the resolution, but only wish to confine my remarks to the amendment. If this amendment is accepted, well and good. Otherwise with your permission, Sir, I want to make a little alteration that instead of appointing a new committe the Standing Committee on Excise should consider all the points which have been suggested by my friend Dr. Gokul Chand Narang. I fail to see any necessity for appointing a new committee at all. So I suggest that in place of the words "to appoint a committee consisting of official and non-official (elected) members of the Council" the words "refer the matter to the Standing Committee on Excise" may be put. I think this would be quite sufficient for our purposes because the Standing Committee is composed of elected members of the Council. If Government desired it, more members could be appointed to the Committee and the matter decided by that committee. If you permit me, Sir, I shall move my amendment.

Mr. President : As the honourable member desires to move an amendment without first communicating it to the chair and without obtaining the permission of the chair, I rule him out of order.

Rai Bahadur Lala Sewak Ram : If I am not allowed to move my amendment, then I support the amendment which has been moved by Dr. Gokul Chand. There is no other alternative for the House but to accept that amendment asking for the appointment of a committee to go into the matter. In that amendment Dr. Gokul Chand Narang has dealt with every point, as regards taxation and suggestion of new ways and means of revenue to Government, and even Maulvi Mazhar Ali, Azhar, will be satisfied when he comes to see the deliberation of such a committee. I therefore strongly support this amendment, and I hope that the House will accept it.

Sayad Muhammad Husain [Montgomery (Muhammadan) Rural] (Urdu) : Sir, it is a matter of great pleasure that in this Council the representatives of various communities have gathered together to think over the good and welfare of their country. They are even ready to have more taxes for the sake of getting their country saved from all evils and especially from the renowned mother of evils, *i.e.*, the effects of liquor, etc. The amendment of my friend Dr.

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[Sayad Muhammad Husain.]

Gokul Chand is quite just and reasonable and I think we should all join our hands in supporting the main principle lying under it. I may be allowed to remark that the original resolution which provides for total prohibition has no connection with any communal feeling whatsoever. It is above all party feeling. It has been simply moved for the uplift of backward areas and depressed classes. Sir, the evil of drinking is the root cause of all other crimes and offences and it is for this very reason that our religion has strictly prohibited it. I think and it is a matter of common knowledge that no other religion can allow its terrible forces to injure the mankind. My honourable friend Khan Bahadur Chaudhri Fazl Ali thinks it inadvisable to propose a policy of total prohibition. He has himself admitted that his opposition is not based on the good qualities of liquor but he opposed because he thought that there will be a loss of excise revenue in case the policy of total prohibition is adopted. But my submission is that if we do not cut off alcohol to-day, alcohol will cut us off to-morrow. My honourable friend Dr. Gokul Chand's amendment is quite reasonable and I cannot help lending my hearty support to it.

Mr. President: Order. Order. I have noticed that some members when they refer to other members, do so by names. That is not the parliamentary etiquette. So, if possible, they should refer to them by the constituencies which the honourable members represent. It is not proper to refer to them by name.

Sayad Muhammad Husain (continued in Urdu): Sir I quite agree with the learned mover of amendment. We do not want to create any kind of trouble. We simply want to impress on the minds of the honourable members of the House that the evil of drinking is detrimental to the human economy. Alcoholism is responsible to a large amount of disease and mortality, it is a prolific source of destitution and crime and it is responsible for the under-nourishment and ill-development of many children. The present age is an age of renaissance. We should also put our shoulders to the wheel and keep pace with other advanced nations. The prohibition of alcoholic liquor is not only in consonance with the sentiments of the people of India but also imperative for their social well-being and for the promotion of their economic efficiency. It is therefore urged on the Government to accept total prohibition of alcoholic liquor as the goal of their excise policy. All sections of the House have frequently raised their voice against the injurious results of the present excise policy. Some have registered their protest in the shape of Option Bill while others have advocated the total prohibition.

Sir, I, being a muslim and a representative of a muslim constituency, wish to say it emphatically that Government should embark on a policy of total prohibition. My honourable friend Mr. King knows and I think he will testify to it that I have always helped Government in framing excise laws and providing for excise staff. I do not want to go into details in this respect, but I shall humbly submit that our demand is just and reasonable and proper attention might be paid to it. Sir, I do not wish to make such remarks as my friend Sir Gopal Das was pleased to make. All that I want to say is this that Islam has never countenanced the use of any intoxicant. Even to-day in the Islamic districts this evil is not so prosperous. My honourable friend the Director of Public Health has remarked that liquor is not injurious in such degrees as people generally think. I need not dilate upon this point. My friend Rana Feroz-ud-Din has already explained

it to a nicety. India is a hot country and its climate is exceedingly hot and liquor and alcohol are sure to produce very injurious results. One of my honourable friends has remarked that in case of total prohibition there will be a loss of about 75 lakhs in provincial revenues. In this connection I wish to say that if the policy of total prohibition is adopted, much benefit will accrue. The litigation will decrease as all the odious and heinous crimes are committed under the direct or indirect influence of liquor. When one gets accustomed to this evil he attains the audacity of defying all the canons of society and the laws of the State. In the time of Jahangir this policy was enforced and I think no other Hindu Raja or Muslim King ever received any kind of income from excisable articles. Even in the Western countries when it was found that this evil was likely to degenerate the nation they at once adopted the policy of prohibition. My friend, the representative of the Punjab Chamber of Commerce, has stated before you that in Germany he was surprised to find that there were no such laws, and that people did not indulge in alcoholism. I admit that where people do not go beyond the limits of temperance there is no need of framing any laws. But here we find that this evil has done havoc and the public opinion is in support of prohibition. My learned friend also remarked that in America clergymen and parishioners have had to exert a good deal of influence in formulating the public opinion and when their pupils and disciples came into the Senate they got the law of prohibition passed. Here, Sir, I am glad to find that many of my friends are teetotallers and I see that they are sympathetic towards the underlying principle of prohibition, and I think the time is fast approaching when this evil will be wiped off. In Bhopal State this policy has already been adopted, and one of my friend says that in Baroda State this policy has proved a success. My friend, the Financial Commissioner, has stated that in case of this policy being adopted a good many cases of illicit distillation will crop up and it will be extremely difficult to cope with the situation. In this connection I beg to assure him that we will strain every nerve to help him in this matter and public will also participate in checking the evil of illicit distillation and illegal smuggling.

The next question is that of money and here I wish to make one more observation. Sir, this country is poor and people are destitute. They must be saved from moral turpitude at least and I think the present surplus can safely be used for enforcing the policy of prohibition. The money has come from the pockets of poor people and it would be in the fitness of things if it is used for their benefit. They are in a miserable condition and it is high time to help them. We should not attribute motives. This amendment is above all party feelings. I fully appreciate it and therefore I would be failing in my duty if I do not support it. My friend, the representative of North-West Towns, has given very good reasons and I am sure that if the amendment is carried and the provision asked for is made, it will be a lot of good and our province will be saved from ruin and desolation. It is therefore highly desirable that this amendment be passed. With these words I lend my hearty support to the amendment moved by my honourable friend, the representative of North-West Towns.

Mr. B H. Dobson (Home Secretary): Sir, it is some time since a member of this bench spoke on the subject and it is possible that the arguments which fell from Mr. King and Colonel Forster have been overlooked. Moreover, although nearly every possible argument both for and against

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the resolution has been stated, I think it is desirable to repeat some of them at this stage. In any case I am only concerned with one particular aspect of the question, namely, how it will affect the public tranquillity. It is not necessary for me to repeat what the Financial Commissioner has already said. We know how far the present excise policy has been a success. Mr. King does not himself admit the total success of local option. He admits also that the policy of increasing the price of licit liquor has not produced the results which were intended and desired. Now, Sir, I can elaborate that agrument from statistics which I have examined. We know that the immediate effect of raising the price of licit liquor has been not to reduce the consumption of illicit liquor, not to reduce the crime of drunkenness and not in short to increase the public tranquillity. I have examined those statistics and though statistics are tedious though they may point this way or that, in a matter of this sort they have evidential value. I find, Sir, that in the year 1921 there were 629 persons arrested for offences against the excise law. I need not trouble you, Sir, with the intervening years, but in 1924-25 there were 2,232. The figure of actual convictions was 402 four years ago, whereas it is now 1,183. We have figures for drunkenness also, but unfortunately not for rural areas. I wish I had figures for rural areas too; I think they would open the eyes of this House. But we know that in municipalities drunkenness has not decreased, but has gone up from 337 cases to 442 in the last 4 years. From the results of the present policy of extended local option which is a sort of prohibition, we are justified in deducing what the results would be of complete prohibition. I wonder if the House realises what has actually been going on behind the scenes in the way of illicit distillation and the smuggling campaign. We have only to turn to the last excise report to find ample illumination. In Amritsar, whole cart-loads of excisable material had been confiscated, in Sialkot 346 seers were taken at one seizure. I know also from personal experience—because I have only just come from a liquor-drinking district, one of the worst in this respect—I know from personal experience that the excise staff is to a large extent helpless; in almost every village illicit distillation is going on and the excise staff cannot function without the assistance of the police and even then are frequently maltreated. Only last November, I think, an informer was murdered. Well, I have little personal sympathy for informers, but there is no reason why an informer who assists the Government in suppressing illicit distillation should pay the extreme penalty of death. It is also a commonplace that this business of illicit distillation, which at one time was a furtive and hazardous venture is now a busy commercial enterprise, and people are leaving their hereditary occupations to engage in it. What does this all indicate? It indicates that if by administrative pressure you try to prevent a man from indulging a normal propensity, he retaliates and a spirit of restlessness supervenes. And that is the result of stringent excise administration in late years.

I am not going to discuss the financial aspect of this problem, because the honourable member on my left may have something to say on the subject; but what I would like to ask is: how do you propose to recruit the preventive agency which would be necessary to deal with illicit distillation on an increased scale? It has been said, and I am not prepared to say with what truth, but I will accept it as a maxim for the moment that in India a law passed is law administered. It is not so in some other countries. It is not so in France, and it is not even less so in America. But in India, generally speaking, the history of our legislation shows that

when a law is passed, it is administered. You have got therefore to administer the law of prohibition, if you pass it; I am sure this House is not going to pass a law which will be a dead letter. I must give the House credit for more commonsense than that. But assuming that you have to administer this law, let us consider what will be the inevitable result if you attempt to suppress natural tendencies. The result would be that you will have to set up a preventive agency which will enter not only every village, but to every street in every town if they are to do their duty properly. Now, Sir, we pride ourselves in England on the sanctity and inviolability of home and property; the same rights are regarded in India with no less sanctity by the Government of India and the Government of this province. Well, Sir, it is not so long ago that a law was passed which was considered by the masses at large to indicate some fresh infringement of their private liberty. I am alluding to the Rowlatt Act. I do not wish to stir up unhappy memories, but I notice that some of the gentlemen who are advocates of prohibition were very keen critics of the Rowlatt Act. Under prohibition you will have all the conditions, if you mean to prevent illicit distillation, which were unjustly and very improperly urged against that Act. You will have to grant licence to the excise authorities to enter private dwellings, you will have them invading towns villages and farms and there will be encroachment on private liberty where there is freedom at present. I have already told you Sir, that the excise agents are afraid to do their duty without police aid.

Professor Ruchi Ram, Sahni: Do not these gentlemen now enter houses and farms?

The Honourable Sir John Maynard: Does the honourable member like such a state of affairs?

Mr. B. H. Dobson: I do not wish to discuss the Rowlatt Act any further, but what I do wish to point out is this. Illicit distillation cannot be suppressed without very elaborate preventive measures and neither on financial, social, political, nor on administrative grounds will the necessary preventive staff be forthcoming without a very large outlay. But let this much suffice for the present position of this province. I should like to say something now about other countries where prohibition had been tried. We have heard a little about America. One honourable member, I think it was Sardar Jodh Singh, said that he would like more definite information about America. We know that National Prohibition has prevailed there during the last two years; it is not so generally known that there was State prohibition for over 40 years and that very competent observers have summarised the results of State prohibition. I may tell you, Sir, on the authority of Mr. Rowntree, who as you know is a very distinguished social reformer and student of social statistics, that in the "dry" States the percentage of arrests for drunkenness was much higher for these forty years than in the "wet" States, and in both areas the percentage was about four times that of England. I am not going to trouble you much, Sir, with statistics because they are easily forgotton. But let me add that in the "dry" States arrests were 40 per thousand, while in the "wet" States the arrests were only 37 per thousand. How are you going to account for these facts? In the prohibition states both crime and drunkenness have increased. Well, Sir, we have not yet arrived at the true perspective of the results of National Prohibition in America. But we do know that it has not been a success. One of the principal protagonists in this business, Lord Northcliffe, took pains in the year 1921 to investigate the results of prohibition and found that it is simply a synonym for evasion

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or subterfuge on the most prodigious scale. Among other proved consequences was the corruption of the medical profession. In America 41 million gallons of spirit were returned as issued to the medical profession in a single year. Similarly, in Newfoundland, the corruption of the medical profession was the actual cause of the abandonment of prohibition. One of my honourable friends opposite spoke very strongly against the infringement of individual liberty involved in this resolution. It is as a matter of fact the fundamental right of every human being to determine his own food and drink. You cannot determine what a man is to drink and eat by legislative enactment; neither can you make men sober by compulsions.

I have spoken so far and at some length on the general resolution, but I resist equally the proposal to form a committee. I oppose the committee, not only with respect to this particular resolution, but with respect to all committees. What advantage is to be gained by appointing a committee to sit for two years and study a question on which the Government, as far as I can discover, has made up its mind? No such deliberation will change the attitude of the Government on this fundamental matter of public policy.

Professor Ruchi Ram Sahni: Then abolish the Council.

Mr. B. H. Dobson: The Government is being asked to legislate in the first place for an abuse which does not exist. Drunkenness is not an Indian vice; you will find more drunken men in some streets of London than you will find in the whole city of Lahore. Indeed India is among the soberest of all countries in the world and the last which should require a sweeping measure of this nature. The whole case for prohibition in India is as a matter of fact superfluous. Therefore, Sir, I oppose not only the resolution but I oppose the appointment of the committee suggested in the amendment.

Chaudhri Afzal Haq: I beg to move—

"That the question be now put."

Mr. President: The question is—

"That the question be now put."

The motion was carried.

Pandit Nanak Chand: Is it not the amendment that is now before the House for discussion?

Mr. President: As the proposed amendment is intended to replace the original resolution in its entirety, the debate is not to be restricted to the amendment alone; both the original resolution and the amendment are to be considered by the House as alternative propositions.

Mr. C. M. King: Is it not that voting is going to be taken on the amendment first?

Mr. President: I will call upon the honourable member Maulvi Mazhar Ali Azhar, the mover of the original resolution, to exercise his right of reply if he cares to do so.

Maulvi Mazhar Ali Azhar [East and West Central Towns (Muhammadan) Urban] (Urdu) : Sir, before I should reply to the various objections raised against my resolution I would like to say a few words in respect of my *bonâ fides* in moving the resolution under consideration. I have a clear conscience. I have moved the resolution with no sinister motive in view. I know some of the honourable members do think that as the Honourable Minister for Agriculture has recently taken over the charge of the portfolio of Agriculture so the resolution under discussion is intended to attack his department. Sir, I would frankly submit that I am above such tactics. Since the day I was elected a member of this House I sent in only one resolution *re* Shahpur Branch Canal in the first session of the Council, but it was not moved. The present resolution is my second resolution which I have tabled throughout the whole of my Council career one session after another. It has been said that last year when this resolution stood in the name of Subedar-Major Farman Ali it was not moved perhaps because the then Ministry of Agriculture prevailed upon him to abstain from doing so. The real fact is that at that time amendments to Standing Orders were under consideration. The standing order in respect of moving a resolution was amended to the effect that if a resolution stands in the names of more than one member of the Council any one of them would be entitled to move it. Thus we thought that we would be able to move the resolution at any later time. If the idea is that some influence was brought to bear upon Subedar-Major Farman Ali Khan by the then Ministry of Agriculture it ill becomes those who level that accusation to play themselves into the hands of the Ministry and oppose the resolution. Really I have also been under disadvantage in moving the resolution at this time, for if the Ministry had not changed I would not have seen so much opposition being offered to my resolution. If the Honourable Mian Sir Fazl-i-Husain had been the Education Minister to-day and the Honourable Chaudhri Chhotu Ram, the Minister for Agriculture, much of the oratory that has been made use of to-day in opposing my resolution would have been employed to support it (voices : question). Now my statement is questioned. But I am quite at a loss to understand why those honourable members who on the last occasion in the January session promised to support this resolution and were ready to give notice to move it are now bitterly opposing it.

Mr. President : May I know what arguments the honourable mover of the resolution is now replying to ?

Maulvi Mazhar Ali Azhar : Sir, this argument was advanced by Professor Ruchi Ram, Sahni, and Sardar Jodh Singh and therefore I am entitled to refer to it. The point was advanced that this resolution has been moved with a sinister motive.

Mr. President : The honourable member is introducing entirely a new matter into the debate. He will please confine his remarks to the points raised by members who have spoken against the resolution.

Maulvi Mazhar Ali Azhar (Urdu) : Sir, I would not dilate upon this point any further, I would say a few words in connection with the objection raised against my resolution. First it has been remarked that the policy of total prohibition has worked no miracles in America. That as the policy of

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total prohibition has been of no use in America why should we adopt it here? Sir, the question is how can we say that the policy of total prohibition has done nothing in America.

Mr. President: I wish to point out that out of the fifteen minutes for which the honourable member can speak in reply five have already passed.

Maulvi Mazhar Ali Azhar: There the policy was not adopted with this view that success would certainly be achieved next year after the passing of the 18th amendment or within two or three years following. The Americans expected to achieve the final results of this policy after at least one generation Thus Senator Harding on the eve of the presidential election delivered an address in which he said :—"The liquor traffic was destructive of much that was most precious in American life. In 'another generation' I believe that liquor will have disappeared not merely from our politics but from our memories." Thus the Americans fixed not a year or two but a generation's time in order to see the results of a policy of total prohibition. Sir, if you start a vigorous propaganda against the evil of drink surely it would require not only a day or two but sufficient time to bring about satisfactory results. Do fix a generation for the purpose and see what wonderful results you achieve.

Secondly, Colonel Forster has remarked that he has not been able to find any such patients whose health is altogether ruined simply because they were addicted to drink. The truth is that no statistical figures are kept which may show the exact number of those prisoners who before going to jails were addicted to drink. Surely on enquiry you will find an overwhelming majority of such prisoners in the jail population. Moreover, Sir, the majority among drinkers consists of poor people. They cannot afford to pay consultation fees to ordinary medical practitioner, will to say of a high medical officer. Thus the experience of our honourable friend Colonel Forster cannot help us. In America the physicians and even the judges in their judicial capacity have admitted that drink is the root cause of several evils. When the amendment in respect of the drink evil was carried in America the physicians were allowed a permit to have small quantities of alcohol for their medical purposes But the following accounts which I read out to you from the book Prohibition in America by Arthur Newsholme shows that even a large majority of physicians there refrained from taking out permits :—"It is a striking fact that of the 152,627 physicians in the United States—78 per cent. or approximately 4 out of every 5 physicians have refrained from taking out permits to prescribe alcohol. While in 24 States not a single physician has taken out a permit." Besides this I may be allowed to read an extract from the report of the Council on Health and Public Instruction of the American Medical Association :—"The House of Delegates passed the following resolution : Whereas we believe that the use of alcohol as a beverage is detrimental to the human economy and whereas its use in Therapeutics as a tonic or a stimulant or as a food has no scientific basis, therefore, be it resolved that the American Medical Association oppose the use of alcohol as a beverage and be it further resolved that the use of alcohol as a Therapeutic agent should be discouraged."

Sir, the physicians have never favoured drink but they have always condemned it from the medical point of view. It has also been said that we should not also ignore the case of those people who are addicted to drink and who will be required to leave their habit of drinking after the policy of total prohibition is adopted. Allright, Sir, we should not ignore them but we should also be careful for the next generation so that they may not get into the habit of drink by associating with these people. In this book, Sir, it is admitted that the evil of drink was not rooted out in the very first year in America. But, Sir, I again ask your permission to read out an extract from the same book which shows the extent to which the people of America were impressed by the policy of total prohibition. The extract runs thus: "The essential point is that the majority of the American population are losing their appetite for alcoholic drinks and young people have no opportunity to acquire this appetite."

Sir, I would again submit that we must devise some means to save our youths from this evil. We must stop this evil somehow or other. I have been asked to suggest a scheme of stopping the use of liquor. I must say in reply "There is only one way to stop the use of liquor and that is to stop the use of liquor. You cannot sell liquor yourselves and also stop it." I have not limited any time for stopping it. I do not say that it must be rooted out in a year. You may conveniently take as much time as you desire in order to bring about satisfactory results.

Lastly, Dr. Gokul Chand, Narang, has said that if I should accept this amendment the Government will have no objection either and that the amendment will satisfy both the parties in favour of the resolution and against it. Take for granted that I accept the amendment but even then I doubt very much that the Government is prepared to accept the amendment. I would like to hear what the Government says in this respect. Let it clear its position before I determine what line of action I should adopt.

The Honourable Mian Sir Fazl-i-Husain: Sir, we do not know exactly what the position is at present. There is the resolution moved by Maulvi Mazhar Ali, Azhar, and there is the amendment by Dr. Gokul Chand, Narang, and I believe there is the amendment tabled by Sardar Jodh Singh...

Mr. President: The amendment of which Sardar Jodh Singh had given notice could have been moved when he spoke on the original question. As he did not move it then, he has no right to move it now.

The Honourable Mian Sir Fazl-i-Husain: Then, am I to understand that it is the amendment that is before the House?

Mr. President: I have already informed the House perhaps the Government member was not present there that when an amendment like the one with which the House is now dealing, is proposed, that is to say, when the amendment intends to substitute entirely different words for the whole of the original resolution both the original question and the amendment are before the House.

The Honourable Mian Sir Fazl-i-Husain: May I know then, Sir, how you will put them, that is, in what order you will put them? Will you put the amendment first or the original resolution first?

Mr. President: That question I will answer, if necessary, when the time for voting arrives. All I want to know at present is whether the Government member wishes to exercise his right of reply?

Sardar Jodh Singh: May I know, Sir, whether the mover of the amendment has got a right of reply?

Mr. President: No, the mover of an amendment has no right of reply.

The Honourable Sardar Jogendra Singh (*Minister for Agriculture*): Sir, twenty-five years ago I was still at school and I had begun to write to the press I was once passing through Amritsar and my friends asked me to speak from a temperence platform. I had just finished reading Jam-i-shershar and was full of the subject and spoke on temperance with a certain amount of warmth. Two or three days ago when this resolution came before me. I searched my heart, I was satisfied that I was on the right side, otherwise I would have moved without hesitation across to the other benches where the mover of the resolution now sits I feel, however, that I can serve the cause of temperance better by opposing this resolution wholeheartedly. I will not detain you very long with a very lengthy speech but I will invite your attention to a few pertinent points. Go back to the times of Manu and you will find that even in those days there was certain amount of drink habit, though the law held that if a Brahman imbibed drink molten lead should be poured into his mouth. You cannot have a stronger law than that to prevent the habits of drink, still that law remained ineffective. Manu himself said "there is no turpitude in drinking wine, but a virtuous abstinence will reap its reward". That was the view held by Manu in times of yore.

Then again, Sir, when we come to the Muhammadan period, I think most of us are acquainted with the literature of Persia and have made a certain amount of acquaintance with the wines of Shiraz of which Islamic poetry abounds. Later on, coming to the Muhammadan period I would like you to picture the court of Jahangir held in the city of Wah which I recently visited and how drink flowed in those days. It could have been stopped with a stronger hand in those days than at present; and yet even drink was not controlled in the way in which we wish to control it today.

Now, Sir, I shall take up the taxation aspect, a good deal has been said on both sides, that the Government needs money and therefore we have this excise duty. I have been on the Taxation Committee for over a year and in that committee we have considered every aspect of taxation in the light of modern ideas. If I, for a moment ask you to consider how the taxation concept has been developed I may tell you, so far as the local taxation is concerned it is nothing more than pooling of the resources of a village or town together for common services. In the early days you had in each village the village Kamins (servants) they were paid a certain measure of grain for services they rendered. That has been converted into what is called local taxation. You want water-supply, electric light and other services and you pool your resources together. That is what is local taxation. When we come to other taxes, taxes which are used for provincial or imperial purposes, these again are pooling together of national resources for common services such as defence administration and other services with which you are all familiar. Taxes, therefore, are for promoting well-being of the people and not for promoting ill-being. If I were convinced that the excise tax is promoting ill being of the people I would be the first person to disavow any intention of supporting it. But my friend Sardar Randhir Singh yesterday pointed out that excise is a penalty imposed on the people who drink and as such it is a punishment which is imposed by the State on those who indulge in drink and I am sure no one in this House is for removing this imposition. Most speakers here have asked, what has been the policy of Government in controlling

drink. If I may say so, the policy of Government has been consistently to discourage drink firstly, by imposing high taxation, secondly, regulation of traffic such as the restriction of the number of places and hours of sale, etc.; no less a person than Pandit Madan Mohan Malaviya in one of his speeches before the Legislative Assembly pronounced that this policy has not been altogether ineffective. Here we have the evidence of one of the foremost politicians on the efficiency of the policy which the Government has so far followed. I have collected a good many quotations from American writers, publicists and men in authority, but I will not take the time of this House now by reciting those quotations. I can tell you however without any fear of contradiction, that the policy of prohibition in America has been an entire failure. It has led to lawlessness, it has led to smuggling, it has led to certain moral evils which are greater than drink itself. Besides, there is another aspect which the House must realise, America is a democratic country with effective popular control. The people know what they are about. But here, I am very sorry to confess, we have not reached that stage where the electorate is keenly interested in what goes on here, here the electorate is not in a position to understand and express its views. Till that stage is reached, till the electorate is properly educated, till the electorate is able to express an opinion, I think this House will be altogether unwise in supporting any policy which is not likely to be supported by the people in general. Abraham Lincoln, one of the greatest thinkers of the United States, foresaw that prohibition will cause greater injury to the cause of temperance because by controlling men's appetites by legislation you create crimes out of things which are not crimes. This is a thing which we must seriously consider. We want to restrict what the people, in any case a fair number of people like to have. Are we in a position to control appetites of men? It is impossible for the Legislative Council dealing with the material side of life, dealing with actual facts as they exist, to enact laws which can be only worked out in an ideal plane. The people should first be translated to that ideal plane. If that cannot be attained, I do not see how we can frame laws which are not suited to the people and which we ourselves are convinced cannot be enforced.

Another difficulty which has been already pointed out is, that prohibition is an all-India question. It is not a question for a province to tackle with. Supposing tomorrow we enforce prohibition laws in this province, what about the states in the neighbourhood or about other parts of India from which liquor would be imported. If the imports cannot be restricted, then it is not possible for a province to deal with the question which can only be dealt with by the all-India legislatures.

Then coming to practical difficulties, I need hardly point out the result of prohibition in villages. You will have to impose new tyranny in the villages. Is this Council going to support the imposition of new tyrannies in the villages? It will mean establishment of Tazairi chowkies in the villages to interfere with the freedom of the people. I hope this Council will take a practical view of the question and will not countenance any legislation which cannot be worked on good and sound lines.

I hope to ask this Council later on, through its Excise Committee to review the whole excise policy and this review will afford the members of the Council to come to me and give me the benefit of their opinion. I

[Hon. Sardar Jogendra Singh.]

can assure you that if there is anything that can be done to control drink that will be done. (Hear hear) Therefore there is no reason either for a new committee to be appointed or for this resolution to be pressed. I sincerely believe in the honesty of purpose of the mover of the resolution. I realise that he desires to serve the country. But I may tell him that I am trying to carry out his wishes and I assure him of my anxiety to control drink in the province.

Lastly, there is one thing which I am rather diffident in saying and yet I must say it? Both Raja Narendra Nath and Sardar Jodh Singh pleaded for the indulgence of this House for me I wish to say that I ask for no indulgence on personal grounds. I want the question to be considered on its own merits and decided on its own merits. The question is how we can best serve the interests of this province. I held that we can serve the best interests of this province by educating the people in the habits of temperance and uniting together and making temperance a reality. I oppose both the amendment and the resolution.

Mr. President : The original resolution was—

"This Council recommends to the Government—

(a) to abandon its present excise policy for a policy of total prohibition ;

(b) to take early steps to appoint a committee to go into the whole matter and to suggest means to make the new policy a success ; and

(c) to take such other action as may be necessary or advisable to enable the Government to embark on the new policy".

since which an amendment has been proposed :—

"That the following be substituted for the original resolution :—

'That this Council recommends to the Government that early steps be taken to appoint a committee consisting of official and non-official (elected) members of the Council to consider the advisability of the introduction of a policy of total prohibition in the Punjab and to suggest ways and means to make up the deficit caused by the loss of excise revenue in case the policy of total prohibition is adopted.' "

The question is that that substitution be made.

The Council then divided : Ayes, 13, Noes, 35.

AYES, 13.

Khan Bahadur Shaikh Abdul Qadir
Chaudhri Afzal Haq.
Rana Firoz-ud-Din Khan.
Khan Muhammad Abdullah Khan.
Sayad Muhammad Husain.
Pandit Nanak Chand.
Dr. Gokul Chand, Narang.
Lala Sham Lal.
Captain Dhan Raj, Bhasin.
Lala Bodh Raj.
Dr. Nihal Chand, Sikri.
Lala Diwan Chand.
Mr. Labh Singh.

NOES, 35.

Mr. W. P. Sangster.
Colonel C. R. Bakhle.
Mr. C. A. Barron.
Mr. C. M. King.
Khan Bahadur Nawab Muzaffar Khan.
Mr. D. Milne.
Sir George Anderson.
Lt. Col. W. C. H. Forster.
The Honourable Sardar Jogendra Singh.
The Honourable Rai Sahib Chaudhri Chhotu Ram.
The Honourable Khan Bahadur Mian Sir Fazl-i-Husain.
The Honourable Sir John Maynard.
Mr. Ram Chandra.
Mr. Miles Irving.
Mr. B. H. Dobson.
Mr. J. M. Dunnett.
Mr. H. W. Webb.
Mr. Owen Roberts.
Mr. J. Coldstream.
Sardar Bahadur Sardar Jowahir Singh.
Khan Sahib Khan Muhammed Saifullah Khan.
Subedar-Major Farman Ali Khan
Malik Khan Muhammad Khan, Wagha.
Khan Bahadur Chaudhri Fazl Ali.
Sardar Buta Singh.
Sardar Jodh Singh.
Sardar Tara Singh.
Rai Bahadur Sir Gopal Das Bhandari.
Sardar Randhir Singh.
Sardar Bakhtawar Singh.
Maulvi Mazhar Ali, Azhar.
Sardar Har Chand Singh.
Sardar Partap Singh.
Sardar Dhira Singh.
Chaudhri Kesar Singh.

The motion was lost.

Mr. President: The resolution proposed runs—

"This Council recommends to the Government—

(a) to abandon its present excise policy for a policy of total prohibition;

(b) to take early steps to appoint a committee to go into the whole matter and to suggest means to make the new policy a success; and

(c) to take such other action as may be necessary or advisable to enable the Government to embark on the new policy".

The question is that that resolution be adopted.

The Council then divided: Ayes, 9; Noes, 46.

AYES, 9.

Maulvi Mazhar Ali, Azhar.
Chaudhri Afzal Haq.
Rana Firoz-ud-Din Khan.
Khan Muhammad Abdullah Khan.
Sayad Muhammad Husain.
Captain Dhan Raj, Bhasin.
Lala Bodh Raj.
Dr. Nihal Chand, Sikri.
Rai Bahadur Lala Dhanpat Rai.

NOES, 46.

Mr. W. P. Sangster.
Colonel C. R. Bakhle.
Mr. C. A. Barron.
Mr. C. M. King.
Khan Bahadur Nawab Muzaffar Khan.
Mr. D. Milne.
Sir George Anderson.
Lt.-Col. W. C. H. Forster.
The Hon'ble Sardar Jogendra Singh.
The Hon'ble Rai Sahib Chaudhri Chhotu Ram.
The Hon'ble Khan Bahadur Mian Sir Fazl-i-Husain.
The Hon'ble Sir John Maynard.
Mr. Ram Chandra.
Mr. Miles Irving.
Mr. B. H. Dobson.
Mr. J. M. Dunnett.
Mr. H. W. Webb.
Mr. Owen Roberts.
Mr. J. Coldstream.
Sardar Bahadur Sardar Jowahir Singh.
Khan Sahib Khan Muhammad Saifullah Khan.
Subedar-Major Farman Ali Khan.
Malik Khan Muhammad Khan, Wagha.
Khan Bahadur Chaudhri Fazl Ali.
Sardar Buta Singh.
Sardar Jodh Singh.
Sardar Tara Singh.
Rai Bahadur Sir Gopal Das, Bhandari.
Sardar Randhir Singh.
Sardar Bakhtawar Singh.
Mr. V. F. Gray.
Sardar Har Chand Singh.
Sardar Partap Singh.
Sardar Dhira Singh.
Pandit Nanak Chand.
Dr. Gokul Chand, Narang.
Professor Ruchi Ram, Sahni.
Diwan Bahadur Raja Narendra Nath.
Lala Sham Lal.
Rai Bahadur Lala Sewak Ram.
Lala Mohan Lal, Bhatnagar.
Rai Sahib Lala Ganga Ram.
Mr. Labh Singh.
Lala Mohan Lal.
Chaudhri Ram Singh.
Chaudhri Kesar Singh.

The motion was lost.

The Council then adjourned till 2 P.M. on Thursday, the 4th March, 1926.

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PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 4th March 1926.

The Council met at the Council Chamber at two of the clock. Mr. President in the Chair.

OATH OF OFFICE.

The following member was sworn in :

Mr. A. E. Astbury (Official, nominated).

QUESTIONS AND ANSWERS.

APPOINTMENT OF HINDU RAJPUTS AS DEPUTY COMMISSIONERS.

2638. Chaudhri Ram Singh : (*a*) Will Government please state the number of Hindus, Muslims, Sikhs and Indian Christians holding permanently or temporarily the posts of Deputy Commissioners in the Punjab and the number of Hindu Rajputs among them ?

(*b*) If no Hindu Rajput is at present holding the post of Deputy Commissioner, does Government propose to consider the advisability of appointing Hindu Rajputs to these posts in the near future ?

Mr. J. M. Dunnett : (*a*) The figures, inclusive of members of the Indian Civil Service and holders of listed posts :—

Hindus ...	1
Muslims ...	7
Sikhs ...	1
Indian Christians ...	1
Hindu Rajputs ...	*nil.*

(*b*) The honourable member is understood to refer to the selection of officers of the Punjab Civil Service for employment in listed posts. Government is not prepared to depart from the present practice of making selections from the Punjab Civil Service according to the capabilities of its senior members.

BRIDGE OVER THE BEAS IN THE KANGRA DISTRICT.

2639. Chaudhri Ram Singh : (*a*) Is it a fact that in connection with the Mandi Hydro-Electric Scheme no tramway will now pass through Talwara for which a bridge was to be erected over the Beas in the Kangra district ?

(*b*) Is it also a fact that there is no *pucca* bridge over the Beas in the Kangra district and that its absence causes great inconvenience to the public during the rainy season ?

[Ch. Ram Singh.]

(c) If the answer to (b) above be in the affirmative, does Government propose to erect a bridge in the vicinity of either Sujanpur or Nadaon or Dehra?

The Honourable Sardar Jogendra Singh: (a) The project for the Kangra Valley Railway provided for a combined submersible bridge and causeway over the Beas. This was designed for railway use only and no provision was made for use as a road bridge, as there are no roads in the vicinity of the site on either bank of the Beas. The alignment finally adopted will not pass through Talwara or cross the Beas.

(b) Yes.

(c) No proposal of the kind is under consideration by Government, but if the honourable member considers it advisable, he should suggest to the local body concerned that a representation on the subject should be made by them to the Communications Board.

TRANSFER OF CERTAIN FORESTS TO THE PEOPLE.

2640. Chaudhri Ram Singh: With reference to the answer to question No. 2154,* will the Government please state whether His Honour the Lieutenant-Governor of the Punjab held a durbar and delivered a speech at Kangra on 25th October 1916?

(b) If so, will the Government please state whether he made the statement referred to in the said question?

(c) If the answer to (b) be in the affirmative, will the Government please state per tahsil the names of the forests transferred to the people and whether the people have been allowed the use of wood for domestic purposes in all the forests or whether there are some where this right is denied to them? If there are some forests where this right is denied, will the Government please state why?

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

(b) His Honour the Lieutenant-Governor explained the policy of Government with regard to the Kangra forests. The statement quoted in question No. 2154* does not give a correct interpretation of His Honour's remarks, wherein he stated that the general policy of Government in regard to the forests was to maintain a reasonable proportion of forests for the use of future generations. In pursuance of that policy it was explained that areas in which effective protection must be retained would be marked off, and in the remaining areas the administration of the Forest Department would, as far as possible, be removed, and they would be transferred to the district authorities to be managed as unclassed forests in co-operation with the people, the object of Government being to put at the disposal of the people all forest areas, which it was not essential to protect, and to protect efficiently, subject to reasonable use by the people, the remaining areas in the best interests of themselves and of their descendants. Certain areas were accordingly transferred to the district authorities but owing to the refusal of the Council in March 1924 to vote the money required for their management they had again to be retransferred to the Forest Department.

(c) Does not arise.

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* Page 139-40 *ante*.

PATWARKHANAS.

2641. Chaudhri Ram Singh: With reference to the answers to my questions Nos. 2147* and 2520†, put on the 3rd December 1925 and 12th January 1926, respectively, will Government please state whether the Patwarkhanas have been given to the "village communities" for their private use or for repairs only? If for the latter purpose only, will Government please state —

(a) whether they are responsible for the repairs of these Patwarkhanas;

(b) what have these communities to do with the repairs of Patwarkhanas; and

(c) whether their consent has been obtained before deciding to hand over the Patwarkhanas to the village communities?

The Honourable Mian Sir Fazl-i-Husain: For any use they like.

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

REWARD FOR MILITARY SERVICES.

2642. Chaudhri Ram Singh: Is it a fact that land is being granted in the Nili Bar as a reward for military services? If the answer to the above be in the affirmative, will the Government please say whether the military services rendered by the Rajputs of the Kangra district will receive special consideration in this respect?

The Honourable Mian Sir Fazl-i-Husain: Yes, but the distribution of the area of 75,000 acres of land reserved for military colonists in the Nili Bar Colony is in the hands of the Government of India, Army Department. Government has no reason to think that the claims of all those who have rendered military services will not receive due consideration at the hands of the Military authorities.

TRAMWAY TO MANDI STATE.

2643. Chaudhri Ram Singh: Will Government please state the causes of delay in the construction of the tramway to Mandi State which was to be constructed in connection with the Mandi Hydro-Electric Scheme? Will it also please state when this tramway will commence working?

The Honourable Mian Sir Fazl-i-Husain: The tramway which it was proposed to construct in connection with the Mandi Hydro-Electric Scheme is now being built by the North-Western Railway as a part of that Railway.

Construction is in progress.

It is hoped by the North-Western Railway to have the rails through to Shanan by the 1st April 1928, but at the present stage, it is not possible to state date on which the railway or any portion of it will be opened for public traffic.

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*Vol. VIII.-B, pages 1373-74.

†Page 39 *ante*.

ESTABLISHMENT OF A SUB-COURT AT KAHUTA.

2644. Subedar-Major Farman Ali Khan: (*a*) Is it a fact that there are two subordinate judges working at Gujar Khan, district Rawalpindi?

(*b*) Is it a fact that all civil suits in which the parties belong to Kahuta tahsil, Rawalpindi district, are distributed between the courts in Rawalpindi and Gujar Khan?

(*c*) Is it a fact that Kahuta tahsil is a hilly tract and in it there are several streams which are flooded during the rainy season and it is difficult, rather impossible, to ford them?

(*d*) Is it a fact that during the last two years several casualties have occurred while crossing the important streams like "Ling" and "Kanshi"?

(*e*) Is it a fact that Gujar Khan is at a distance of about forty miles from Kahuta and that several places in Kahuta tahsil are at a distance of eighty miles from Gujar Khan?

(*f*) Has the attention of Government been drawn to the fact that civil cases in which the parties belong to Kahuta tahsil and which are being tried at Gujar Khan and Rawalpindi are either decreed *ex parte* or dismissed owing to the non-attendance of the parties?

(*g*) If so, is it a fact that so many dismissals and decrees *ex parte* are due to the fact that Kahuta is far off from Gujar Khan and Rawalpindi and the litigants are unable to attend the courts there?

(*h*) If so, what steps have been taken in the matter?

(*j*) Has the Government considered the desirability of establishing a subordinate judge's court at Kahuta? If so, with what result?

The Honourable Sir John Maynard: The information required is being collected and will be communicated to the honourable member when ready.

VOTERS' LISTS FOR LEGISLATIVE COUNCIL ELECTIONS.

2645. Chaudhri Ram Singh: (1) Will Government be pleased to state if it is a fact—

(*a*) that when the voters' lists for the first reformed Council were published in the year 1920, the following particulars were given against the name of each voter:—

(*i*) the amount of land revenue paid by him;

(*ii*) the value of the house owned by him;

(*iii*) the amount of income-tax paid by him;

(*b*) that when the voters' lists were issued a second time the particulars referred to in (*a*) above were omitted, and that this was the case in regard to the voters' lists issued in 1923 also?

(2) If the answers to the above be in the affirmative, will Government be pleased to consider the advisability of issuing instructions to the elections department to give the details mentioned in (1) (*a*) above against the name of each voter in the voters' lists for the next elections?

The Honourable Mian Sir Fazl-i-Husain: (1) (*a*) Yes.

(*b*) When the electoral rolls of 1920 were republished after revision the qualification of each elector was not shown in the roll. In the electoral rolls of 1923 the nature, but not the value, of the qualification was shown.

(2) Existing regulations for the preparation of electoral rolls require that the nature and not the value of the qualification shall be shown. Electoral rolls have to be prepared and printed as rapidly as possible, and in the absence of any good reason for giving further details the Punjab Government consider that the existing form of roll is satisfactory. So far no reason has been given to show the necessity of printing the value of the qualifications of electors.

SHAMILAT FORESTS OF SHAHPUR KANDI.

2646. Chaudhri Ram Singh: Will Government be pleased to state if it is a fact that the *Shamilat* forests owned by the zamindars of Shahpur Kandi, district Gurdaspur, have been declared reserved forests for the next ten years? If so, will Government be pleased to state the reasons for the same?

The Honourable Mian Sir Fazl-i-Husain: No. The Shahpur Kandi forests are not reserved but protected forests. In October 1919 certain areas in these forests were closed for a period of 10 years to grazing of all animals (other than those belonging to residents of the Shahpur Kandi tract) and to cutting or lopping of green trees, except with the special permission of the forest officer. The closure is for the protection of the forests, and the areas were selected by the local officers in consultation with the right-holders in the forests who all consented to the closure.

CONTRACTORS FOR THE SUPPLY OF PROVISIONS, ETC., TO GOVERNMENT OFFICERS ON TOUR.

2647. Chaudhri Ram Singh: (*a*) Will Government be pleased to state if it is a fact that contractors have been appointed for the supply of provisions, grass and fuel to Government officers on tour? If so, will Government be pleased to state the number of these contractors for each district, as well as for the whole of the province?

(*b*) Will Government be pleased to state if it is a fact that the lambardars and zaildars have at present to make arrangements for the supply of provisions, etc., to Government officers while on tour in villages? If so, does Government propose to issue instructions to the contractors to make necessary arrangements for the supply of provisions, grass and fuel at all the places where the touring officers care to encamp?

The Honourable Mian Sir Fazl-i-Husain: (*a*) Yes. The information is not available at headquarters but will have to be obtained from each district.

(*b*) Government is not aware that lambardars and zaildars have to make arrangements for the supply of provisions, etc., to Government officers on tour.

[Hon'ble Mian Sir Fazl-i-Husain.]

It is not necessary that Government should issue instructions in the sense suggested.

2648. *Cancelled.*

2649. *Cancelled.*

MUNICIPALITIES.

2650. Sardar Jodh Singh: Will the Government be pleased to place the following information on the table—

(*a*) The number and names of municipalities in the province in which communal electorates are in vogue;

(*b*) the number and names of municipalities in which there are mixed electorates;

(*c*) the date of last election in the case of each municipality;

(*d*) the present number of Sikh, Muslim, Hindu and other members elected as well as nominated (separately) for each municipality, and

(*e*) the number of Sikh, Muslim, Hindu and other voters in the case of each municipality according to the latest returns available?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

DISTRICT BOARDS.

2651. Sardar Jodh Singh: Will the Government be pleased to place the following information on the table—

(*a*) the number of Sikh, Muslim, Hindu and other voters in the case of each district board in the province according to the latest returns available;

(*b*) the present number of Sikh, Muslim, Hindu and other members, elected as well as nominated (separately) for each district board; and

(*c*) the date of the last election in each case.

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

NILI BAR.

2652. Sardar Jodh Singh: Will the Government be pleased to lay on the table a note giving its scheme of colonizing the lands to be irrigated by the new Sutlej Project otherwise called the Nili Bar Colony?

The Honourable Mian Sir Fazl-i Husain: In addition to the area to be sold gradually over a long period of years by public auction, Government will allot 75,000 acres as already announced to soldiers, and some 250,000 acres to peasants on terms permitting the ultimate acquisition of proprietary rights on favourable terms. Among other objects to which the

perennially irrigated area will be devoted are cattle farms and grants to peasant grantees on cattle-breeding terms (21,000 acres). Of the area receiving irrigation in a single harvest, the greater portion will be allotted to Janglis and other local inhabitants. It is not considered necessary to publish further details.

Closure of Girls' Schools.

2653. Sardar Jodh Singh: (*a*) Will the Government be pleased to state in how many villages Gurmukhi Primary Girl Schools have been closed by the Attock and Rawalpindi District Boards (separately) during the last 5 years?

(*b*) In how many of such villages, where the Sikhs and Hindus predominate, has the Rawalpindi District Board restarted Urdu Primary Girl Schools?

The Honourable Rai Sahib Chaudhri Chhotu Ram:

(*a*) Rawalpindi 6
Attock 6

(*b*) *Nil.*

Anglo-Indian officers in the Provincial Civil Service.

2654. Sardar Gurbakhsh Singh: Will the Government please state the total number of Anglo-Indian officers in the Provincial Civil Service, giving the number of Anglo-Indians accepted during the last three years for appointment to this service and the post that each one of them is now holding?

Mr. J. M. Dunnett: The total number of Anglo-Indian officers in both branches of the Punjab Civil Service is 19.

A statement giving the number of Anglo-Indian officers accepted during the last three years for appointment to this service and the post that each one of them is now holding is given below :—

1923.		1924.		1925.	
No.	Appointment held.	No.	Appointment held.	No.	Appointment held.
One.	Assistant Secretary to Financial Commissioners and Assistant Secretary to Government, Punjab, Revenue Department.	One.	Personal Assistant to Inspector-General of Hospitals, Punjab.	One.	Treasury Officer, Multan.

Assistant Commissioners.

2655. Sardar Gurbakhsh Singh: Will the Government please state how many new Assistant Commissioners were allotted to the Punjab during the last five years, giving the number of Indians, Europeans and Anglo-

[Sardar Gurbakhsh Singh.]

Indians, respectively, and stating the date of appointment of each to the province and the posts that they are now holding ?

The Honourable Sir John Maynard : The information in the form desired by the honourable member is available in the last edition of the Quarterly Civil List, of which a copy is in the Council Library.

MEMBERS OF THE INDIAN CIVIL SERVICE IN THE CIVIL SECRETARIAT.

2656. Sardar Gurbakhsh Singh : Will the Government please state the number of appointments in the Civil Secretariat held by members of the Indian Civil Service, giving the number of Indian and the European incumbents of these posts ?

Mr. J. M. Dunnett : The total number of appointments in the Civil Secretariat held by members of the Indian Civil Service is six. Of these five are being held by Europeans and one by an Indian ?

CIVIL ENGINEERS FOR THE MANDI HYDRO-ELECTRIC SCHEME.

2657. Dr. Gokul Chand, Narang : (*i*) Will the Government be pleased to state —

(*a*) the number of Civil Engineers employed in the higher grades of service for the Mandi Hydro-Electric Scheme ; and

(*b*) the number of Indians so employed ?

(*ii*) (*a*) Will the Government be pleased to state whether it is a fact that under the Mandi Hydro-Electric scheme senior Indian Electrical Engineers have been superseded by the appointment of European junior Electrical Engineers ?

(*b*) If so, will the Government be pleased to state the reasons for the supersession of the senior Indian officers ?

The Honourable Sardar Jogendra Singh : (*i*) (*a*) Out of the total number of 35 Engineers' posts sanctioned for the Mandi Hydro-Electric Scheme eleven have been filled up to the 15th February 1926.

(*i*) (*b*) Of the eleven posts which have been filled, one is held by an Indian.

(*ii*) (*a*) and (*b*) If the enquiry refers to selections for appointment, the question of supersession does not arise. On the other hand, as the Hydro-Electric Branch is a newly constituted one, and no promotions have yet been made, it follows that no supersessions have occurred.

DAMAGE IN DASUHA AND NURPUR CAUSED BY THE BEAS.

2658. Chaudhri Ram Singh : Is Government aware of the fact that a great many villages of tahsil Dasuha, district Hoshiarpur, and tahsil Nurpur, district Kangra, have been washed away by the river Beas, and that the zamindars have in consequence been put to loss ? If so, has the Government considered the desirability of granting lands to these zamindars in one of the colonies ? If not, will it do so now ?

The Honourable Mian Sir Fazl-i-Husain : The information is being collected and a reply will be given as soon as it is ready.

ALLOWANCE TO PATWARIS.

2659. Chaudhri Ram Singh: With reference to the answer to question No. 1453,* put on the 3rd March 1925, will Government be pleased to state whether any allowance is granted to patwaris in any part of the Punjab for carrying out a survey of the lands washed away by the rivers or of lands recovered from the rivers consequent upon changing their courses? If such an allowance is granted, has the Government considered the desirability of allowing the patwaris of the Kangra district also to draw the same?

The Honourable Mian Sir Fazl-i-Husain: First part, No.

Second part. Does not arise.

TIME-SCALE OF PAY FOR THE SUBORDINATE EDUCATIONAL SERVICE.

2660. Chaudhri Ram Singh: Will the Government be pleased to state what action has been taken by the Education Standing Committee on the resolution of Professor Ruchi Ram, Sahni, *re* Time-scale of pay for the Subordinate Educational Service? If no action has so far been taken, will the Government be pleased to state whether it proposes to fix a time-scale of pay for the Subordinate Educational Service?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The honourable member is referred to the answer to question No. 1945.†

RECRUITMENT TO THE POLICE DEPARTMENT.

2661. Chaudhri Ram Singh: Will the Government be pleased to state —

(*a*) whether all classes of the Hindu community are employed in the Police Department or certain classes are prohibited from seeking employment in the Police Department? Will Government please state the classes that are so prohibited?

(*b*) whether all classes of Mussalmans can seek service in the Police Department? If so, will Government please state their reasons for putting a ban upon certain classes of Hindus?

(*c*) will Government be pleased to consider the desirability of permitting all classes of Hindus to seek service in the Police Department?

The Honourable Sir John Maynard:

(*a*), (*b*) and (*c*). The orders regarding the recruitment of lower subordinates to the Police Department are contained in Police Rule 11·12, which is reproduced below and applies to both the communities named :—

11·12. (1) Recruits shall be of good character and shall, as far as possible, be selected from agricultural classes and castes.

(2) Persons belonging to recognised menial or criminal classes shall not be enrolled without the special sanction of the Deputy Inspector-General.

Chaudhri Ram Singh: Do the menial and criminal classes referred to in the answer include the Muhammadans also?

The Honourable Sir John Maynard: They include both Muhammadans and Hindus.

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*Vol. VIII-A, page 235.
†Vol. VIII-B, page 1162.

INTERMEDIATE COLLEGE AT DHARMSALA.

2662. Chaudhri Ram Singh : Will Government be pleased to state what action has so far been taken with regard to the extension of buildings in connection with the opening of an Intermediate College at Dharmsala and also when these extensions are likely to be completed ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The plans for the new Middle School, for the increased science accommodation, and for the adaptation of the school buildings for college use have been drawn up and approved. Unfortunately, the roof of the school building leaks badly and needs extensive repairs. Every effort is being made to complete the work as soon as possible.

PUNITIVE POLICE POST AT KHIZARABAD.

2663. Lala Mohan Lal : (*a*) Is it a fact that punitive police has been posted at Khizarabad, a village in Jagadhri tahsil of Ambala district ? If so, will the Government be pleased to state the reasons for this action on the part of the Government ?

(*b*) For how long do the Government propose to continue the punitive police there and what will be the yearly cost of maintaining it ?

(*c*) Is it true that punitive police has been posted in defiance of the wishes of the inhabitants of the village ?

(*d*) What is the good that the Government expects from posting the punitive police there ?

The Honourable Sir John Maynard : The information required is being collected and will be communicated to the honourable member when ready.

ENCROACHMENTS ON PUBLIC THOROUGHFARES.

2664. Sardar Mohindar Singh : Has it come to the notice of Government that in a number of cases public thoroughfares, which serve as *kucha* roads from village to village, have been encroached upon by people ? Does Government propose to issue instructions to revenue authorities to take severe steps against those who make such encroachments ?

The Honourable Mian Sir Fazl-i-Husain : Yes in 1924.

GENERAL PROVIDENT FUND.

2665. Chaudhri Ram Singh : (*a*) Is it a fact that the Government deposits the subscriptions for the General Provident Fund of the Government servants in some bank in the province ? If so, will the Government please say in what bank the collections are deposited ?

(*b*) Will the Government please also state the rate of interest allowed by the bank on such depoists ?

(*c*) Is it a fact that this full rate of interest does not go to the credit of the subscribers but that they are allowed only the rate of interest which prevails in the Post Office Savings Bank ?

(*d*) If the answer to (*c*) is in the affirmative, will the Government please give the reasons for the same ?

The Honourable Sir John Maynard : (*a*) Subscriptions to the General Provident Fund form part of the general balances of the Government of India and as such are deposited with the Imperial Bank of India under clause 3 of the Agreement of that Bank with the Secretary of State for India.

(*b*) Under the same clause of the Agreement the Bank pays no interest to Government. Government pays interest on General Provident Fund deposits at the rate of 5½ per cent.

(*c*) and (*d*). Do not arise.

HIGH SCHOOL, NURPUR.

2666. Chaudhri Ram Singh : Will Government please state what steps are being taken to open a High School at Nurpur, district Kangra, and when it will be opened there ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The honourable member is probably referring to the question of raising the status of the District Board Middle School at Nurpur to that of a High School. Government has engaged to award a building grant on more liberal terms than is usual in such cases, but the District Board is not prepared to make any contribution towards the cost of the extensions to the buildings.

HIGH SCHOOL IN PATHANKOT.

2667. Chaudhri Ram Singh: Will Government please state if it is a fact that a High School will be opened in Pathankot, district Gurdaspur, in April 1926 ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The honourable member presumably refers to the question of raising the status of the Municipal Board Anglo-vernacular Middle School, Pathankot to the high grade. If so, the matter is under consideration by the local body concerned.

MOTOR CAR FARES.

2668. Chaudhri Ram Singh : Will Government please state if a reduction has been made in the motor car fares by the Clive Motor Company on the Pathankot-Dalhousie line ? If so, will it please state —

(*a*) the amount of reduction made ;

(*b*) the present fares ;

(*c*) how the present fares compare with the fares on the Pathankot-Dharmsala line ; and

(*d*) whether there is any other hill road where motor cars ply for hire and where so high motor car fares are charged ?

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

EXTRA ASSISTANT COMMISSIONER CANDIDATES.

2669. Sardar Tara Singh: (*a*) Will the Government please state whether it has been a practice to register zilladars (canal) as Extra Assistant Commissioner candidates ?

(*b*) If the answer to part (*a*) be in the affirmative, will the Government please state whether this practice still continues ?

(*c*) If the answer to part (*b*) be in the negative, does the Government propose to revive this practice ?

Mr. J. M. Dunnett: (*a*) Yes.

(*b*) Yes.

(*c*) Does not arise.

GENERAL DISCUSSION OF THE BUDGET.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General): Sir, I propose to divide my remarks under two heads, first, as to what the budget contains and secondly, as to what the budget does not contain. I tender hearty congratulations to the Honourable the Finance Member for the budget which he has presented and to Mr. Miles Irving. The budget manifests improvement in many respects. I was not present owing to unavoidable circumstances during the budget session of 1924-25 and of 1925-26 and I am glad that I am present this time when there is prosperity all round. Our province has undergone undoubtedly through many vicissitudes to which the Honourable Sir John Maynard has referred. In the opening part of his speech he alludes to a Persian proverb. He says that one who has seen the vicissitudes of life is generally described as one who has seen heat and cold. I know the Persian saying to which he refers, but he has referred to only one part of it. The first part is—

Sard-o-gram-e zamana Chashidah

and the second part is—

Gurg-e-baran didah (Laughter).

The Honourable the Finance Member is a veritable lamb in this Council when he comes with proposals for additional taxation or asks for grants. But he has to assume the attributes of a creature of the opposite genus when he has to deal with the spending departments some of which he himself describes as monsters. However, it is gratifying to note that the opening balance of the year 1926-27 will be 76 lakhs and the closing balance, 62 lakhs. Under the head of expenditure, underspending has been equally distributed and it reflects credit on the departments concerned. Reduction of interests on loans on account of receipts for the sale-proceeds of Crown lands is also satisfactory feature. The province has been able in the year 1926-27 to create a sinking fund for the avoidance or reduction of debt and to meet the unfavourable condition of lean years. The Provincial Government will be in the position of a lender a few months hence. We are told that a sum of one crore will be advanced to the Government of India on interest at 3½ per cent. per mensem for eight months.

The Honourable Sir John Maynard: It is 3½ per cent. per annum.

Diwan Bahadur Raja Narendra Nath: I beg your pardon. It is a slip of the tongue. These are matters on which the whole province and the Finance Department deserves to be congratulated.

I fully agree with the Honourable the Finance Member in the concluding remarks of his speech in which he says that doles to individuals of grants of lands are undesirable. This province has no doubt many resources and the vast area of Crown lands it possesses is one of them. The power to give Crown lands to individuals produces undoubtedly demoralising effect (A voice: No) on public life

Murrabbi Miyar-o-murrabba bekhur

is a very common saying. Where the fruits for *murrabbas* have to be procured one is very much in need of *murrabis* (patras) and as long as there are *murrabis* (patrons) independence is impossible These are the satisfactory features of the report, and all of us expect that some hope will be held out to us for remission of taxation. If I am rightly informed perhaps there has been some reduction in the provincial contribution paid to the Government of India since the budget was laid before the House. So there is all the more reason for some sort of relief, specially when our resources are so good and so well-managed. The m tor tax is very unpopular and should be removed forthwith. I would not ignore the interests of the rural classes to whom I myself in a way have the honour to belong though perhaps they may not very willingly enlist me as a member. The water rates imposed deserve reconsideration. (Hear, hear.) I would not ask for the wholesale restoration of the previous schedule, but I would advance a few suggestions which deserve consideration. The rate on wheat should be reduced to what it was before. Wheat is the staple food of the province. Wheat is a winter crop, sown in October and maturing in spring. During winter there are closure of canals. On some systems of canals there are very long closures, extending to 21 and even 27 days. The rate of wheat has been assimilated on all canals. I would not make any difference. I would give a reduction on all canals alike. The rate on wheat therefore deserves consideration.

Fodder crops which are sown not only for the use of cattle but also to increase the productive power of the soil should come next. *Sainji* in winter and *moth* in summer are the two important crops which are sown not only for the use of cattle but also to increase the productive power of the soil as they are both nitrogen-producing plants. I was sorry to observe in the last schedule a change from the previous schedule in this respect. Green manuring is also discouraged by the imposition of water rate on crops which are sown simply in order to be ploughed in afterwards and not allowed to mature. These should be exempted altogether from water rate.

The beneficent departments have received generous treatment. The Honourable the Finance Member has in his statement given figures showing what was the expenditure on those departments in 1921 and what is the expenditure in the budgetted year. There is an increase of 62 per cent. and this is very gratifying. But there is one department out of these beneficent departments which deserves special consideration and more generous treatment, the department of communications. So far considerable attention has been paid to provincial communications. The grants-in-aid to district boards for the improvement of district board roads have, however, been scanty. I would earnestly request that grants to district boards for the purpose of being spent on the improvement of communications within the district should be largely increased. Only the other day I read in the newspaper that the Bhimber bridge, I am sorry to observe that the honourable member for Gujrat is absent now, that the Bhimber Nalla

[D. B. Raja Narendra Nath.]

needed a bridge. That is purely a local concern. Under ordinary conditions, the district board alone would be responsible for finding money in order to construct that bridge, but it is a large undertaking and will require a very big outlay. Therefore the Provincial Board of Communication should come in for help. I would go to the extent of suggesting that it should finance to the extent of three-fourths, the remaining one-fourth being met by the district board. I would further suggest that the district board should be allowed to contribute its one-fourth share by instalments. The zamindar classes do not realise the advantages which the improvement of communications confers upon them. Their produce is brought nearer the market, they are more in touch with the civilisation of towns, they are more in touch with the educational centres and their income from land increases. They ought not to refuse paying even larger taxes for that purpose. But as matters stand they lack what is called the representative faculty, a faculty which enables one to realise to oneself the advantages of the future. The other day there was a talk amongst the zamindars on the subject of metalling roads. They objected to metalling on the ground that it would make it more difficult to trace the footprints of cattle thieves. Under these conditions the Provincial Board of Communications should come out with liberal help only if the district board furnishes a small fraction of the money required.

There is no mention in the Honourable Finance Member's statement as to the prospects of opening new canals. The Thal Project, the Bakhra Dam Project and the Havelian Project are in contemplation. But is it possible to do within the year anything practical to advance these schemes? We hear all sorts of ugly rumours about the Government of India objecting to the construction of the new canals on the ground that they are not sure of the supply of water in the Sutlej river. I do not know how far those rumours are correct, but if the Thal Project is also one which is to be indefinitely postponed the matter raises some very important questions. We have on the statute book of the province an Act called Act I of 1902 which is, to say the least, a very arbitrary measure if it is not really iniquitous. In the Legislative Assembly there was a good deal of criticism against the Regulation III of 1818. I do not know whether the politicians outside this province are aware of some very curious laws that exist in this province. There are some already on the statute book, others are perhaps looming in the distance. This Act should be immediately repealed if the construction of the Thal canal is going to be indefinitely postponed. As far as I am aware that Act was passed on the understanding, explicit or implicit, that the construction of the canal should be taken in hand very soon. Twenty-four years have elapsed since then, much water has flown under the bridge of the other canals, yet there is not an inch of canal in the Thal tract. The inhabitants of that tract have up to the present only to sow the wind and reap the whirlwind. There are so many storms in that part of our province. I would therefore appeal that some definite and speedy action should be taken in the matter by the Government. I hope that the suggestions that I have made with regard to the scheme of colonisation will be adopted when the Sutlej Valley Project is completed. I read in the memorandum for additional grants a proposal to appoint an Extra Assistant Commissioner who will tour throughout the province, visit the tracts in which the peasant proprietors need help and prepare a scheme. I submit that that scheme should not be left to that

particular officer alone, nor to the Government departments only. Some non-official members should be associated in considering and discussing that scheme. The non-official members selected should be representative of all the parties.

I do not think I need say anything more especially as I find that very little interest is taken in the general discussion on the budget as is shown by the state of attendance of members in this House.

The Honourable Mian Sir Fazl-i-Husain: We are all listening to the honourable member's remarks very carefully.

Diwan Bahadur Raja Narendra Nath: The other benches are empty and they are not to be ignored. With these few remarks, I resume my seat.

Sardar Jodh Singh (Sikh, Urban): Sir, I think every honourable member of this House will join the Honourable the Finance Member in expressing his appreciation of the industry which the Finance Secretary has displayed in presenting to us the budget for this year in as clear a way as possible (Hear, hear). The Honourable the Finance Member has been frank enough to admit the charge of overbudgetting also. But I am sorry to say that the mere confession of the sin on his part is not enough for absolution in this respect. The sins of the Finance Department have been visited upon the tax-payer of this province and unless something is done to make amends in that direction the tax-payer cannot so lightly treat the subject. During these three years, namely, 1924-25, 1925-26 and 1926-27, forty lakhs of new taxation have been added and when we turn to the budget, we find that all the new taxation was owing to a mistake in calculation. When the budget was presented to us in 1924-25, it showed an income of 1,031 lakhs and an expenditure of 1,075 lakhs, thus leaving a deficit of 44 lakhs. It took into account 20 lakhs of new taxation, but those taxation proposals were dropped and the department resorted to increase in the *abiana* rates. The *abiana* rates as estimated in the budget were to come to 27 lakhs for that year; thus in the revised budget the income was shown as 1,038 lakhs and the expenditure was shown as 1,068 lakhs, leaving a deficit of 30 lakhs. But what do the actual figures show? Not only that there was no necessity for an increase in the water rates to the extent of 27 lakhs, but we actually saved, excluding the 27 lakhs, a sum of 89 lakhs in that budget. An explanation has been given for the increase in the income. I will refer to one item only, that of increase in stamps. It has been said that such a large income under the head Stamps was not expected. If we read the budget memorandum of 1924-25, we find there that originally with the passing of increased stamp duty, 30 lakhs were expected, but on the basis of the figures of three months only it was thought that only 12 lakhs would actually come in 1924-25. But we actually found that as was originally forecasted 30 lakhs came, but that was not taken into account in framing the budget. I have thus shown very clearly that there was no possible reason for levying that tax of 27 lakhs in the shape of increased *abiana* rates. In 1925-26, we find that the revised estimate gives us a surplus of 76 lakhs. New taxes that are included in that budget give the following figures 37½ lakhs in *abiana*, 2 lakhs in motor cars, one lakh from increase in the stamp duty on transfer of urban property, thus the total increase comes to about 40 lakhs, but the surplus now is 76 lakhs, which shows that even on the basis of the figures of 1925-26, none of these taxes was needed.

[Sardar Jodh Singh.]

As for the present budget, we already know that a surplus of 14 lakhs is budgetted after transferring 20 lakhs to the Reserve Fund. Twenty-eight lakhs have now been remitted by the Government of India, which brings the surplus to 62 lakhs. Now, Sir, even on the basis of the present year's budget, we do not want 40 lakhs of increased taxation, and if the Finance Department is honest enough to acknowledge the sin of over-budgetting, they must expiate for that sin by remitting the taxes that were increased during the last three years.

Last year, I said that there was no evidence of economy in our budget except in the departments of Education, Registration, Stationery and Printing. Retrenchment was effected; and I am glad to find that the Finance Secretary in his budget memorandum this year does not put the savings effected to economy but to retrenchment. It has been said that the Government which has given effect to retrenchment of one crore of rupees ought to be proud of its work, but when we turn to the headings under which that retrenchment was effected, we find no justification for such self-congratulations. Out of this one crore, 54 lakhs were retrenched out of civil works and 18 lakhs out of miscellaneous. Surely if a Government does not spend much upon roads and communications and on such other useful things, if the Government suspends expenditure on these heads, then it has not much reason to say that it has effected much economy in expenditure. At no stage during these five or six years did the departments grouped under civil administration show any tendency or inclination to economise in expenditure. Even in 1924-25, with the expenditure at the lowest, they spent 8 lakhs more than in 1921-22. No doubt the beneficent departments got 21 lakhs more. But in spite of those 21 lakhs, they spent 107 lakhs less than the civil administration departments. Sir, the Honourable the Finance Member humorously compared the spending departments to a monster, and that monster, he said, had perhaps a division in its stomach of the reserved and the transferred side. It appears, Sir, that the digestion of the reserved side is very good because even before the Reforms were introduced it took a big slice of one crore twenty-three lakhs of increase in expenditure that was made in the Punjab budget before the Reforms came into force. It has digested that very quietly. The transferred part of the stomach, probably because of the malarial and the tropical clime, cannot digest even the food which is offered to it, because we often find that the money placed at the disposal of the transferred departments is not spent even fully. I may remind the House that in spite of the great increase that has been made by the Reformed Council, still those departments under reserved administration are spending 302 lakhs according to budget of the present year, while the beneficent departments would be only spending 275 lakhs. I may also remind the House that the departments that are grouped under the head of civil administration cannot claim that they have great reasons to spend more. No new territory is being added to the Punjab so as to need the employment of new district officers or new Superintendents of Police, etc. But there is much room for expansion in the beneficent departments. In the realm of education, in the realm of supplying people with hospitals, roads and demonstration farms of agriculture, we have much to do in spite of what we have been spending till now. Therefore it is upon the beneficent departments that much of the money that we have to spend in future has to be spent. While criticising the figures of this year's budget, I am sorry to find that the Forests have spent in the last year 71·77 per cent. of the income in spite of the convention that they will have to spend

only 70 per cent. I may point out one thing more, that is the interest on capital which is being invested in the Forests is not being added to the expenditure side. There is one thing more to which I may draw the attention of the Honourable the Revenue Member. The departments which have shown any tendency towards economy were under him till lately, I mean Education and Registration departments. Now the honourable member is in charge of a department which spends 37 per cent. of the income that it creates, I mean the Irrigation department, and when we remember that the commodity that it sells is got free and the only expenditure that it incurs is upon supervising the distribution of water and collection of water rates and repairs to canals because capital expenditure has been already transferred to capital head—we must think that of all the business concerns in any country which command a monopoly—such as oil resources or coal resources—no business concern will spend so much of its earnings merely in the working expenses as the Irrigation department of this province does.

Last year, Sir, this Council urged for the separation of judicial and executive functions but in spite of the prosperity budget we do not find any steps being taken in that direction. Much has been done to improve agriculture and agricultural farms That expenditure has been rightly incurred because agriculture is the foremost industry of this province. But then what about the other industries? We find a provision of Rs. 50,000 made in this budget for capital expenditure on industries and that Rs. 50,000 is being taken up by the *sarkari* factories that have been lately opened at Shahdara, I mean the Dyeing and Tanning Factories. No provision has been made for loans to industries. There was an item that was lately brought up before the Finance Committee but that has not passed through that stage as yet. Here, Sir, I may sound a note of warning to the beneficent departments also. They get much money but they are responsible for making the best use of it. Last year I pointed out to the Honourable Minister for Agriculture that the grades fixed for the veterinary assistant surgeons were too high as compared with those for men of similar education on the medical side. Hospital assistants are matriculates to begin with and they receive four years' training in the Medical School and the highest pay they get is Rs. 170 a month, if I mistake not. Veterinary assistants are also matriculates and are trained in the veterinary science for four years, but a higher grade has been fixed for them, *i.e.*, Rs. 300. I think that is too high an amount. If I remember aright, I was told last year that the matter would be reconsidered, but we find the same figures repeated in this budget also.

Education has been given a lion's share of the expenditure and I am glad to remark, Sir, that every pie that is given to that department is being properly spent, because expenditure per school is being gradually reduced. But in connection with this subject I have one complaint to make. We give some option to the local bodies to manage their own educational affairs and we make an annual grant to them to manage those affairs. I am sorry to point out that in some localities communalism has crept in to a very undesirable extent. I will give the House just one instance from which they will find how that vice vitiates their whole proceedings. In the Rawalpindi district the District Board has closed Gurmukhi primary girls' schools in Sikh villages and has started Urdu primary girls' schools in the same villages. I can understand their closing the schools altogether for want of money, but I cannot understand their attitude in forcing a medium of instruction upon the Sikhs which is not suited to them.

[Sardar Jodh Singh.]

I have one more complaint to make in that respect. Lately an attempt was made to distribute seats in municipalities and district boards. Municipalities were divided into two groups One was where communal distribution of seats was resorted to and the other where seats were not divided but wards were classified in such a way that members should get their seats according to their voting strength. In the case of district boards also seats were not divided communally, but a new formula was devised that seats should be divided according to percentage of voting strength plus population divided by two. By this system the members of my community have lost many seats. The Sikhs are a minority, but their voting strength is higher in proportion to their population. When the formula of protection to minorities was enunciated, the Sikhs expected that they would get something more than they were ordinarily entitled to. In the Council instead of 25 per cent. of the whole they have got only 19 per cent. So also in the case of district boards where in some cases instead of getting more than their voting strength, they have got less than they were entitled to on the basis of their votes. I press this point simply because as there is not yet universal suffrage and every adult man or woman has not got a vote, it is unjust to enhance the value of vote in the case of certain communities and decrease the value of vote in the case of others. If universal suffrage is resorted to, then of course we can think of population. But till that time we have no right to take into consideration the population of a community because it is the voting strength of the community that should be considered as effective of that community. They pay all the taxes and bear all the burdens up to the limit fixed.

There is only one more matter to which I will refer and then I will close my remarks. It is the Akali question. When the Gurdwara Act was passed at Simla, I said "*Hathi lang gaya, puchh rah gai*". But that *puchh* has been so firmly grasped by Government that the *hathi* is still there. I would draw the attention of the House, through you, Sir, to the Akali Leaders' case that is being heard from day to day in the Central Jail now. They are being prosecuted for a conspiracy against the King-Emperor. We know that some 22 of them have, on making a statement in the court that they will work the Gurdwara Act and will not take direct action in the case of management of Gurdwaras, been released. Surely to a layman like myself it does not seem as if they could be so easily let off on just making that statement if the charge was seriously laid against them. The House also knows that the rest of the accused that are being tried have registered themselves as voters for purposes of the Gurdwara Act. They have thereby practically demonstrated that they want to work the Act. I do not now understand why so much public money should be wasted on lengthening the trial.....

The Honorable Sir John Maynard : Sir, is the honourable member in order in referring to the matter which is *sub judice* ?

Mr. President : The honourable member should not refer to any matter which is under the consideration of courts.

Sardar Jodh Singh : Sir, I have not the least intention of basing my remarks on anything that is *sub judice*. Certain things have happened which have made the trial unnecessary. I do not refer to the matter before the court.....

The Honourable Sir John Maynard : Sir, the honourable member has used the word 'unnecessary'. That I think rather prejudges the case. Therefore, I submit that his remarks are out of order.

Sardar Jodh Singh : The public is interested in the fact that the money spent on the case will be money wasted. Why not release the prisoners at once?

Mr. President : Any matter which is actually under the consideration of a court should not be made the subject of discussion in this House, but incidental matters, for example, expenditure on certain judicial cases, can be discussed and such discussion is not out of order.

Sardar Jodh Singh : I submit, Sir, that the money that is being spent on that case is being wasted and I hope the whole House will support me in making a request to Government in as forcible terms as possible not to waste any further money of the tax payer on that case.

With these remarks I resume my seat.

Malik Firoz Khan, Noon [Shahpur East (Muhammadan), (Rural)] : Sir, allow me through you to congratulate the House in having the wise hand of the Finance Member directing the ship of our provincial finance once more. Allow me also, Sir, to congratulate the Honourable Finance Member and his able Secretary on presenting to us the fifth budget in such a lucid and clear manner that laymen like ourselves are able to follow it easily. The Honourable the Finance Member was pleased to remark in his budget speech that it is usual for departments of Government to over-estimate the expenditure, and I find from the figures given in the budget that it is usual for the Finance Department to under-estimate the incomes of the province. In these circumstances you will see, Sir, that it is very difficult to realise the actual financial position of this province. Now, for instance, in the year 1924-25 the income from water rates was estimated to be 366 lakhs, in the revised estimates that income went up to 379 lakhs, with the result that there was a difference of 13 lakhs. The income was under-estimated by 13 lakhs.

Again, in the case of water rates, in the year 1925-26, the budget estimates were 406 lakhs, the revised estimates were 439 lakhs, with the result that there was again under-estimation of about 30 lakhs. This, I suppose, Sir, is probably the case with most of the departments that bring in revenue to Government.

3 P. M.

On the other hand if you refer to the expenditure side also you find over-estimation. If you refer to the valuable memorandum that has been prepared by the Finance Secretary you will find that in the year 1924-25 it was estimated that there will be a deficit of 30 lakhs of rupees, but it was discovered eventually that instead of a deficit of 30 lakhs there was actually a surplus of one crore and sixteen lakhs. Then again, Sir, if you come to the figures of 1925-26, you find that according to the Government estimates there was to be a deficit of five lakhs of rupees whereas it was actually a surplus of 76 lakhs. This year, Sir, Government estimates that there is going to be actually a surplus of 14 lakhs of rupees, but if one may prophesy from past experience one can suggest that this 14 lakhs will go up to 20, 30 or 40 or even more. But taking the figures as they have been presented by the Finance Department we have in the coming year this surplus of 14 lakhs *plus* the closing balance of 76 lakhs from the last year. Of course Government are spending 27 lakhs of rupees this year out of the revenue on capital account. That is a matter which the Honourable the Finance Member himself has many times said should not be done. He has said that the future generations ought not to benefit by the taxation of the present generation. I have no doubt that if the Government had been able to raise the whole loan they wanted to raise they would probably not have

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spent this money out of the revenue account. But I think it is sound finance that all capital expenditure should be met from loans and not from revenue. Therefore if we take these two figures and deduct from them 27 lakhs of rupees there remains a surplus of 62 lakhs; rather I will put it this way. You have 14 lakhs of surplus from the ordinary revenue and 76 lakhs of surplus from last year. These give you a total surplus of about 89 lakhs. Add to this the 28 lakhs which the Government of India are remitting to us. If we take all these items together, that gives us a total of one crore and 17 lakhs of rupees of surplus. I submit that this will be an opportune moment to see that instead of keeping this large surplus, Government should take some steps to reduce the taxation which they had imposed on this province. The most important taxes that ought to be reduced are for instance the water rates, there is also a stamp duty, then there is also the court-fees. These three taxes I suggest ought to receive very careful consideration at the hands of Government and I hope that they will be reduced in view of the large surplus that is now in the hands of Government. I wish to draw the attention of the Government to the great increase that has been brought about in taxation on the agriculturists of this province during the last five years I have looked at the budget figures from the year 1921 up to 1926-27 and I find that in land revenue during these five years there has been an increase of a crore and five lakhs of rupees and in water rates and irrigation there has been an increase of 143 lakhs of rupees with the result that the agriculturists have been taxed to the extent of nearly 2½ crores of rupees over and above what they were paying before 1921. I feel that this is an opportune moment for the Government to give some relief to the people who have been bearing so much extra burden by way of this taxation.

It is gratifying, however, to find that the Government are spending a lot of extra money on the beneficent departments. There are a few things in the budget which require appreciation by the public and this Council. Waterlogging in this province is becoming a very serious question. Large areas of land have become useless and many zamindars have been ruined. I am glad to find from the budget for 1926-27 that the Government are providing for a waterlogging commission I suppose this commission which will enquire into the causes of waterlogging of the various canals will also enquire into the most appaling poverty that prevails amongst the people who have lost all their holdings and have nothing to fall back upon. I know a place within my own constituency where waterlogging has been caused by the Lower Jhelum Canal and there are lakes extending to a length of about 2 or 3 miles. Some of the lands are held under the horse-breeding conditions and most of the animals have died on account of *sara*, which has been created by this waterlogging and yet these people are not being given land in exchange of the lands which have been lost. There is plenty of other land available in the Shahpur district to which these people could be transferred. I find that the Government are delaying this change of property because they think that these lands can be drained one day. Of course the Government may have the intention of draining it, but for the last five years I have been hoping that something would be done, but I see no result. Water is still standing there. If the water is to stand any longer I hope Government will do something to relieve the poor zamindars for the loss of their land and the animals.

Another great danger in this province is the question of *kallar* or saltpetre. Owing to the rise in sub-soil water the salts in the land are drawn

to the surface by means of the capillary action of the sunrays, with the result that the land becomes unfit for cultivation. This is what has happened in Hafizabad and many other places. It is very pleasing to note that Government are alive to their duties and are providing for a soil physicist.

The next noticeable feature is that the Government is providing 3 lakhs for mortgage banks. That again is a welcome investment. While noting the changes that have been brought about in the budget I feel that there is a change which ought to have been brought about but has not been brought about. I wish to draw the attention of this House and of the Honourable the Finance Member to the financial position of the Aitchison College. That is an institution which spends about a lakh and ten thousand rupees per annum. All that it receives from the Punjab Government is a paltry sum of Rs. 12,000 per annum. The Government of India gives them another paltry sum of Rs. 15,000, so that in all we get only about Rs. 27,000, from both the Governments, whereas the colleges like the Oriental College, gets 51,000 rupees, the Islamia College gets 50,000 rupees or more from the Government. A school like the European School at Ghora Galli gets nothing less than 3,62,000 rupees from this Government whereas you find that the college where education is imparted to the children of the people who pay a great deal of land revenue and water rates in this province is treated in this manner. I had hoped that the Honourable the Finance Member would increase the grant for this college this year to 20,000 rupees, but I am very sorry to see that he has not been able to find the small sum of the extra 8,000.

There are two suggestions which I should like to make to the Government and they are these. The one suggestion is that at present the work of legislation is done by the Punjab Council through the Legal Remembrancer. The Legal Remembrancer is an officer who is always very busy with a lot of work which originally used to be sufficient for him apart from the work of legislation. With the advent of this Council the changes and amendments in the enactments have become very important. There are a lot of Acts which require revision and amendment, but probably because there is no time for the Legal Remembrancer to attend to them nothing can be done at present. I think the Government ought to create a special department or at least appoint a special officer who should always be doing this work of legislation and who would be available for assistance to anybody who wishes to make any suggestions to bring about any amendment to Acts and through whom all Bills should be introduced in this Council. The present procedure of making amendments in the Acts is an exceedingly lengthy and difficult one.

The second suggestion which I should like to make to the Government is about the creation on the department of audit. At present in all private firms and companies every year under the Companies Act, their accounts have got to be audited by a chartered accountant and a certificate obtained to the effect that he finds them perfectly allright. The Government are spending very large sums of money on construction works, lakhs and crores of rupees are being spent on hydro-electric and irrigation schemes and so on. I feel that in order to protect their own officers it is necessary for them to create a department which should check all these accounts and see that all the money is spent for the purpose for which it is sanctioned. The certificate of that department would in a way also protect their own officers against

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any criticism that the public or anybody else may make. I hope the Government will consider that suggestion and create an audit department for the sake of protecting their own officers.

I should like to make one further suggestion on the subject which was touched upon by the honourable member for the Punjab Landholders' constituency (Diwan Bahadur Raja Narendra Nath). He referred to the officer who was appointed for the distribution of new lands. I should like to bring to the notice of Government a very deserving case of the Janglis, the so-called Janglis of this province. All the lands that the Government have taken possession of and are selling at very high prices originally belonged to the tribes and classes whom we call Janglis. In our own district, we have the Gundals, the Kalyars, the Ranjhas and the Parhars. All these lands were owned by these people. Either on account of their inability to pay the heavy revenue that the Government fixed on these lands or for some other reason they could not get their *chiragas* together and eventually the Government took possession of the whole of the Sargodha colony which is a very rich place now, but which was originally entirely owned by some of the Jangli tribes who used to roam about from place to place with their cattle or their camels. All those lands now belong to the Government. Now that the Government is proposing to sell those lands which originally belonged to the Jangli tribes, I hope that the case of these Jangli tribes will be favourably considered by the Government and some lands allotted to these very deserving people. I submit that these tribes should receive special consideration at the hands of the Government.

There is one point more to which I wish to refer and that is the extent of cattle-thieving that at present exists in this province. Sir, if you were to go into some of the western districts of the Punjab, you will see that cattle-thieving is practised to an appalling extent. The police is unable to cope with that work either because there are not sufficient numbers of police officers in the various thanas or because the work is so great and heavy that they get disheartened and do not trace the animals or because it is absolutely difficult to trace these animals. I suggest that for the purpose of cattle-thieving alone the Government should take some special steps. I do not like to suggest the enforcement of the Frontier Crimes Regulation for that purpose because that Regulation has earned a very bad name although it contains some very useful provisions. If that Regulation is not going to be used, I suggest that Government should pass some law in the Legislative Council by means of which people who are accused of cattle-lifting or cattle-thieving can be tried by jirgas or a council consisting of the people of the district, that is a council consisting of people who know which people are likely to steal cattle. If the Government is not willing to vest them with the power of sending the offenders to jail, they should at least be empowered to fine people for cattle-lifting. It is imposible for people in the villages to own cattle. Anybody having a good cow, or a bull gets them stolen. Most of those who own cattle are very poor people who do not belong to the agricultural tribes and they suffer most because most of their animals disappear. I hope the Government will pay some special attention to this long standing grievance and take some steps for the prevention of cattle-lifting in this province.

There is one further point that I wish to touch upon and that is the question of representation in municipalities and local bodies which my

honourable friend Sardar Jodh Singh referred to. My honourable friend said that his community had a very great voting strength because they possessed a very large number of votes, but that their population was very small and that therefore he would claim that seats should be granted according to the voting strength. He also suggests that till we can introduce universal suffrage, this special privilege should be given to them. In other words, my honourable friend Sardar Jodh Singh like every other sensible and advanced politician agrees that representation should be according to population and that should be the goal to be kept in view. If that is the goal that is to be kept in view, then the idea of giving representation according to the voting strength is to be deprecated and in order to find a *viâ media* for the two proposals, the Government have been taking the voting strength *plus* the population. A community that has a small population and a greater voting strength has by that scheme benefitted to the extent of having its voting strength being considered in the representation.....

Sardar Jodh Singh : Not the least.

Malik Firoz Khan, Noon : As a matter of fact the entire representation in most of these local bodies should be according to the population. Supposing to-morrow the Government says that all tenants shall have votes, then the voting strength will be considerably increased. I submit that the only criterion should be the basis of population. That is the goal which we must all try to achieve.

Chaudhri Duli Chand [Karnal (Non-Muhammadan), Rural] (Urdu): Sir, I feel great pleasure in congratulating the Honourable the Finance Member and the Financial Secretary for the clear and lucid budget that has been presented to the House this year. This budget is a prosperity budget, but I wish to make a few observations with regard to some important points, which, I think, deserve a proper and careful consideration on the part of the Government. First of all I should like to refer to the taxes to which our province is subjected. Sir, the very principle of taxation in the province is open to serious objections. In this province taxes are unjustly levied on the very bread of the people which they acquire with so much hardship and endurance. I do not say that taxation should not be introduced especially when the province needs raising money. You can very well introduce it but not in the shape of taxes on the very bread of the people. I mean it should not be levied on an income which is barely sufficient to make both ends meet. We are prepared to welcome all kinds of luxury taxes. For instance, the Motor Vehicle Tax is just and proper (hear, hear) and the Abiana is highly unjust and improper (hear, hear). If you want to raise money for improvement in education and sanitation you are welcome to impose other kinds of taxation such as Amusement tax or Recreation tax, as is the case in certain other sister provinces. We can very well levy taxes on Cinemas, Theatres and Dancing shows, etc. We should not introduce indiscriminate taxation. Sir, even for the purposes of income-tax an exemption limit of Rs. 2,000 is fixed, but I am sorry to say that in the case of poor zamindars the axe of taxation is applied indiscriminately, no matter whether their income is below a certain limit. Every zamindar is subject to land revenue which permits no exemption even to the owner of an acre. Net income should be the source of land tax as in the case of income-tax. This is quite iniquitous. Moreover, I think there should never be any kind of tax on uneconomical holdings. Even the land revenue should not be assessed on these. I shall refer to land revenue on another occasion when the revenue demand comes up before the House. At present

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I shall simply say that the conditions of land in this province are somewhat of a peculiar nature. In other provinces the policy of permanent settlement is adopted, but here in some places these settlements are carried on after a decade and in some districts after every twenty or thirty years. It is true that the Honourable the Revenue Member has drafted the new Land Revenue Amendment Bill which will help a great deal in relieving poor zamindars and settlements will be held after say forty years. The Bill provides that, instead of 50 per cent. land revenue will in future be assessed at one-third of the net profit of the land produce. This is also too much in view of the poor and deplorable plight of zamindars, some of whom have very small holdings. In my opinion, Sir, there should be a maximum limit of 25 per cent., which might be assessed on the net profit of zamindars. But I think this even will not do because the patwaris who are employed in assessing the produce often make wrong calculations which lead to heavy assessment and ultimately to the ruin of poor zamindars. And if we cannot do without patwaris, the conditions will never improve and the least assessment will even prove destructive for the zamindars. A large number of these patwaris do not care to make correct estimates. They are callous and have no sympathy for zamindars. Under the circumstances I would like to urge that some other suitable agency might be instituted for the purpose of getting correct and accurate calculations in respect of agricultural produce. In this connection I wish to lay stress on one point in particular. In view of the fact that for the purpose of income-tax a limit is fixed at an annual sum of Rs. 2,000 it would be proper and reasonable to create economic holdings and to make provision for zamindars. In addition to this I should suggest that taxation may be assessed at a progressive rate. I mean to say that poorer zamindars might be taxed lightly and the richer ones should pay a greater amount of taxation. It might displease some big land-owners, but it will do a lot of good to peasant proprietors.

Then, Sir, there is the question of Crown lands. We have been told that an experienced Extra Assistant Commissioner has been engaged for the work of framing principles under which land will be distributed. It appears to be a very satisfactory arrangement, but I would like to remark that the claims of Ambala Division are much more deserving than of any other part of the province. Sir, the Ambala Division has all along been subjected to step-motherly treatment. Government must pay proper heed to the rightful claims of the inhabitants of this Division. Land should be allotted to them especially to those zamindars whose lands are frequently visited by floods or whose lands are barani or stand along the bank of the Jamna river. These lands do not turn out sufficient quantity of produce so as to fulfil the needs of zamindars and unlawful means are resorted to by the people to get their livelihood. A reference has also been made to the cattle-lifting in this House, and I admit that cattle-thieving is common and rampant in these districts, but this is entirely due to the evil of unemployment. You can very well imagine, Sir, that in barani lands when it does not rain people sit idle and idle man's brain is called the Devil's workshop. Land must be granted to these zamindars and when they will have larger tracts of land to cultivate they will keep themselves engaged in tilling and ploughing it and consequently better conditions will prevail and crimes will disappear. There is a class of criminal nomads to which the Ods belong. These Ods live in the south-eastern districts of the province. They are in the habit of molesting their neighbours. Even the Deputy Commissioner of Criminal Tribes has thought fit to study their case. I

do not know what conclusion he has arrived at but this much I can say that they are regular thieves and aggressors. My submission is this that these men might well be employed in work.

Mr. J. M. Dunnett : I think, Sir, they do not belong to a criminal tribe.

Chaudhri Duli Chand (continued in Urdu) : Although they do not belong to a notified criminal tribe yet they indulge in crimes. They go in regular groups to small villages and rob poor zamindars of their accumulated grains. Is it not a crime ? They are regular maranders. Of course they do not go to bigger villages because they know that their nefarious activities will be checked with stronger hands.

Mr. J. M. Dunnett : If the honourable gentleman will allow me to give an information I will be glad to do so.

Mr. President : Members of Government can participate in the general discussion as members of the Council. The Finance Member has a general right of reply while the remaining Government members are not precluded from speaking. Therefore Mr. Dunnett will be in order if he stood up and made a speech like other members.

Chaudhri Duli Chand (continued in Urdu) : Now, Sir, I come to a more important question of abiana. We are in the habit of accusing sahukars and money-lenders for charging excessive rates of interest as they sometime take 30 per cent. or 40 per cent. or even 50 per cent. but, Sir, I make bold to say that our Government is much more callous in imposing heavy rates of abiana taxes. Abiana gives a net profit of about 50 per cent. or so. Is it not extortionate ? Thus I have shown that our Government for abiana and sahukars for money-lending stand on one and the same footing. We should not think that sahukars are alone to blame. Our Government is also open to this remark. Sir, my submission is that enhanced abiana should be remitted altogether once for all and if there is some difficulty in remitting it for all the crops let it be remitted in respect of the wheat and fodder crops. Wheat is the staple food of the province as one of the honourable members, who have preceded me, has remarked and it seems highly unjust to charge enhanced abiana on wheat crops. Besides this there are fodder crops which deserve remission. Sir, there is a crying need for adequate supply of milk and ghee in the province and people are anxious to effect improvements with regard to the cattle-breeds. What I would like to point out in this respect is that when fodder is not obtainable at cheaper rates how zamindars can easily feed their cattle and when there will be a tax for fodder crops zamindars will naturally prefer to sow more profitable crops, *e.g.*, cotton. The result is clear. When fodder is not forthcoming cattle will die out on account of mal-nourishment. So, Sir, if you want to have good cattle-breeds and if you desire to have an adequate supply of milk and ghee then let abiana be remitted on fodder crops. The remission of abiana on the wheat and fodder crops will help in making improvements in the economic conditions of the province. Besides this there is one more point to which I would like to invite the attention of the Government. In the south-east portion of the province there are lands which do not receive adequate supply of canal-water. This tract is the home of Jats, Ahirs, Rajputs and Gujars who have shed their blood for the cause of the Government during the reat War. During recruitment these people were promised certain privileges. Government assured them that their lands would be irrigated and '*jungles*' would be turned into '*mangals*' by the Bhakra Scheme. But what do we find to-day ?

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The land is in the same condition as it was in the pre-war days. It has not improved in the least. It is a matter of common knowledge that south-eastern Punjab very largely contributed in the matter of recruitment, etc. All know that it was the 6th Jat Light Infantry which was besieged at Kut-el-Amara and the units of that Infantry held their position unswervingly and served the cause of the Government to an appreciable extent. But I am sorry to say that our Government has not treated them in a fair manner. There should have been a larger number of liberal scholarships for their children but in this respect also their claims are being overlooked. Formerly there was a limit of Rs. 2,000 annual income which entitled one's children to receive a military scholarship but now this limit has been fixed at Rs. 500. This is too much. It is a matter of regret that these people who have rendered yeomen services to the Crown are being dealt with in this manner. These scholarships should be given also to the adopted sons of soldiers. It is a matter of surprise that Government do not recognise these adopted sons as rightful heirs while in Hindu religion adopted son is always considered to be a legitimate heir. I am at a loss to understand why this restriction has been imposed. Sir, military men generally remain on active service and in their absence it is not likely that sons will be born to them (laughter). Sir, much stress has often been laid on the increase of scholarships for Roorkee and Maclagan Colleges but no heed is paid to these much more important military scholarships. Government must do something in this direction and if it cannot do itself it should move the Government of India or the Army Head-quarters in this respect.

Now, Sir, with regard to corruption which is rampant in Government departments, the honourable the Finance Member once made a remark in this House that in all branches of human activities corruption was likely to be found. I wish to say, Sir, that it is not corruption we deprecate but it is the extortion which is common in some particular departments of the Government especially in the Police department. I do not propose to go into the details of these matters as I intend discussing them when the Police demand comes up before the House. Sir, the extortion in the Police is beyond conception. People are smarting under the high-handed and corrupt police officers. You cannot extirpate this evil by means of enhancing the pay and emoluments of Police servants. In the Postal and Educational departments there are employees who receive paltry pay but they are strictly honest. The fact of the matter is that in the Police department one meets with opportunities for extortion. These opportunities are not placed before Postal employees and the result is that they are honest. So, Sir, Government should create such an atmosphere under which no opportunity is found for corruption. I may be pardoned if I say plainly that Government does not seem to be determined to eradicate this evil. Had there been any enthusiastic action for putting an end to it it would have never outlived. Government can put an end to corruption if it desires. About 1917-18 once Government was in right earnest and many corrupt officials were charged and sent to jail and conditions improved and people felt a considerable relief but afterwards when the Government slackened its check, corruption again crept in and now-a-days it has reached its zenith.

The Honourable Sir John Maynard: Might I ask the honourable member what was the year to which he refers in which the corruption was temporarily stopped?

Chaudhri Duli Chand (continued in Urdu): Probably in the year 1917-18 and specially I refer to Sir Michael O'Dwyer, in whose time drastic measures were adopted to stop this evil.

Coming to the question of Education, Sir, I should like to make a few remarks. When education was first introduced in the province it was introduced in towns and cities and books and courses of reading were prescribed in accordance with the urban needs and requirements. Later on when this system was introduced in the villages the same books and courses of reading were prescribed for rural people which were used by urban population. Here one important point was lost sight of. The conditions and requriements of cities are quite different from those of villages and rural areas. The result was that villagers did not derive benefits of education just as the urban people have derived and in the case of military men this loss was even greater. The education imparted in the schools is quite unsuitable to the martial races and the children who receive this kind of education lose their martial spirit. I would submit, Sir, that in rural areas proper and suitable facilities should be provided for the children of military men. I shall go so far that Government may establish separate schools for the children of Rajputs, Jats, Ahirs and Dogras and in these schools special arrangements be made for military drill and riding, etc. There is at present only one such Jat school at Rohtak but it does not wholly meet the requirements of the people on account of the paucity of funds. Special grants may be given to it to undertake the proposed schemes for the education of the sons of martial tribes.

Then, Sir, there is the University in the province. It is said that it does not fall within the province of this Council nor we can send in questions with regard to it. But I wish to point out that this University also receives grant from the public money of the province and I will take this opportunity to make one observation with respect to the constitution of the University. There is a general complaint against its constitution. The fellows of the University belong to cities and towns and I should say to the very city of Lahore. We may find one or two fellows among Sikhs or Muhammadans who belong to other districts of the province but in case of Hindus none can be found who belongs to any moffussil place. There is no rightful justification of this sort of constitution. I shall leave this point here and shall take it up again when the University grant will come up before the House.

Then, Sir, I would like to make a few remarks about the electorate system. Previous to the reforms there was no provision for rural representation but with the advent of the Reforms the rural and urban constituencies were created separately and the grievances of zamindars were removed to some extent. But later on when the residential qualification was removed the persons residing in towns and having urban interests came forward and got themselves elected and in this Council also the same state of affairs crept in, which prevails in the Central Legislature. At present there are urban and non-zamindar Hindu members in the Assembly and I venture to say that they do not represent the interests of Hindu zamindars of the province. The residential qualification must again be imposed, that is to say that a person who intends standing for election in a rural area must be a resident of that area and he must have vested interests therein.

In conclusion, Sir, once more I would urge that Government should do something in the direction of uplifting the poor zamindars who have rendered

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meritorious services to the State. During the Great War different kinds of promises were held out to the zamindars, such as that their lands would get the benefit of canal-water, that their children would get liberal scholarships, etc. But I am extremely sorry to say that those promises are not fulfilled in the least and that there is a general discontent among zamindars of the province. More land should be given to them. More scholarships should be provided for their children and the circular of 1919 should be followed very strictly and under all circumstances. Here, Sir, I may be permitted to refer to statements which are being prepared under the instructions of Government regarding the number of zamindars in service. Sir, this work should be entrusted to some more expert hands because some persons, who are not zamindars, are getting their names entered as zamindars in the statements. I can quote many instances where persons, who were non-zamindars in 1918, styled themselves as zamindars when the circular was issued. This should be avoided. Government itself knows all about it but it does not care to sift matters. Tahsildars, in whose hands this work generally lies, grant certificates as a matter of routine and thus non-zamindars are generally helped in usurping the rights of zamindars. I would emphasize that the preparation of figures must be in the expert hands. In the present circumstances the Gaur Brahmans of Karnal, Rohtak and Gurgaon districts are not treated as zamindars in the compiling of figures of zamindars in services. When they come forward and claim that they are zamindars they are asked to produce a Government circular to this effect. Everybody knows in our districts that Gaur Brahmans are zamindars in the real sense of the word and they are notified agriculturists in a special group. They must be recognized like other agricultural classes for services. In the preparation of figures relating to our districts Government can easily take the benefit of the advice of the Honourable the Minister for Education who belongs to one of those districts. He can suggest better means to get correct and accurate figures. Lastly, I once more beg to say that Government should fulfil its promises and take steps to redress the grievances of zamindars.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, about a year and-a-half ago when the *abiana* was enhanced in the teeth of opposition, we convened a meeting with the indulgence of the then Honourable Member for Revenue at Simla to consider the financial aspect of the province. That committee consisted of some eminent Indian non-official members, men like Sir Sayad Mehdi Shah, Sir Ganga Ram and others. Ablest officials, including the Honourable the Finance Member, and if I remember right, the Finance Secretary also took part in the deliberations. I submitted at that meeting that the estimates of expenditure had been over-estimated, and that the estimates of revenue under-estimated. I also submitted that there was no need of any taxation, either by way of the increase of *abiana* or the increase of the stamp duties. I also submitted that the natural resources of the province will so considerably improve in the course of five years to come that an increase of about a crore of rupees will be added to the coffers of the Punjab Government, and that there will be no need for any new taxation even for the sake of the beneficent departments and for the development of the province, like communication and so on. I did not speak like an ordinary sooth-sayer; I had the forecast reports of the future assessments of five years before me. I explained that the expenditure had been over-estimated and revenue under-estimated. What has been the result? The result was, what we thought has exactly come true. The expenditure was over-estimated in the year

1924-25 to the extent of 98 lakhs. Similarly, the revenue was under-estimated and the net result was the surplus. Of course this includes the enhanced *abiana* rates and the enhanced stamp duties and the motor vehicles tax. The whole thing worked out at the end of 1924-25 to one crore and sixteen lakhs. Though we tried to bring home this hard fact to Government yet owing to our want of ability to place the fact clearly before it we were not able to convince the Government of the force of our contention. If we had convinced the Government, this would not have been the result. I think conscientious as the Government is it would not have increased this taxation.

Now, Sir, let me explain what has been the result of this additional taxation. In the year 1924-25 the revenue from stamp duties has increased by 21 lakhs, an increase more than what was budgetted for in that year. There has been an increase of 12 or 13 lakhs under excise. What does this indicate? The increase under stamp has further gone up since to 40 lakhs. This shows that the people are growing poorer to that extent. The increase in revenue under stamps is due to the Limitation Act, which was recently passed. This indicates that the province is growing poor and most of the zamindars are unable to repay to the *bania* from whom they had borrowed. Justice has become very dear and the people have to pay Rs. 11½ per hundred rupees on their claims.

Now take the revenue under excise. Here the Government has realised 13 lakhs more in the year 1924-25. If I am wrong, I am subject to correction. I submit, Sir, that in the year 1924-25 a sum of 13 lakhs more than was budgetted for was derived as income from excise.

4 P.M.

This shows great moral degradation of the people. They consume more liquor. I am not talking of illicit consumption, but I am alluding to licit distilled liquor. The Government has realised 13 lakhs more than they anticipated and this is an eloquent testimony to the indifference of the Government regarding the moral elevation of the poor people of the province. This sum of 13 lakhs which represents the hard-earned money of the poor, money earned with the sweat of their brow should have been usefully spent by them if only the Government had done its duty. The money spent on liquor ought to have been spent on household necessities. Instead of that they have been allowed to spend money on liquor which goes to the coffers of Government. This is the reality of the so-called prosperity. I am sorry to remark that it is merely a prosperity on paper, but adversity in reality so far as the people are concerned. We have got surplus money to the extent of one crore of rupees, which should really go to improving the condition of the poor zamindars, which should be spent on the slums of towns and which should be utilised in improving the economic condition of the poor people. What is it that these poor people can boast of in the shape of property? It is nothing beyond an earthen pitcher, beyond the clothing that they have on their backs. These poor people possess nothing else. When the whole province is suffering from dire poverty and when the penury of the people has gone to such an extent that they cannot keep their body and soul together except only by eating the hard date-nuts, does the Government deserve any congratulations for their administration of the province. Surely not. The Government is so callous as not to consider the real condition of the people but they go on enhancing the taxation. The *abiana* has been increased slowly and steadily to its present pitch. It is only

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in this way that the Government has been able to collect such a huge sum of money from the poor people of the province. Even the money that has been realised from stamp duty has been credited to extraordinary receipts as if it was the asset of the province, not realising that it had been extracted from the pockets of the poor. Now that the Government has got this money which they never expected, they are in duty bound to earmark the same for ameliorating the condition of the poor. This is the money which has come to the coffers of Government beyond their expectation and so they should set this apart for the people in the Muzaffargarh district who are proverbially poor. This will go a long way to reduce their penury and misery.

What again has been the effect of increasing the *abiana*? Has any member of the Government, especially the Chief Engineer, realised what this enhancement means to the poor cultivator of this province? What is the condition of the crops now? I can tell this House from my own observation that the condition of crops from Khanki to Toba Tek Singh on the one side and from Balloki to Khanewal on the other is so bad that the people will hardly be able to pay the land revenue and the *abiana*. I have personal knowledge of the condition of these two canals. I am prepared to challenge anybody to say to the contraty. The normal yield of the lands irrigated by the Lower Bari Doab, the Upper Bari Doab and the Lower Chenab canals will be hardly more than half a *mani*, which means four maunds. If a zamindar realises four maunds of wheat from an acre of land, the House may well imagine what will be the overhead charges on that; I am told it is Rs. 8 in Lyallpur and less than that in the Lower Bari Doab. When the land revenue is added to the *abiana*, the total comes to Rs. 16. Now what is left for all the soil and labour of the poor man who has, beside, himself, his wife and children and also his cattle to feed? His cattle die for want of proper and sufficient fodder and the health of his wife and children as also his own is undermined by under-feeding. Is this the economic condition of the province over which the Government can feel proud? In these days the *abiana* is not levied on the cropped area; it is levied on the sown area. I can give an example to substantiate what I say. The Upper Sutlej Inundation Canals flow in the month of July, but no canal is in working order in the month of September. Can anybody imagine that crops which have not received any water in the month of September can ripen. I know the history of the lands on these inundation canals. I personally submitted an application to the Chief Engineer. I can tell this House from my own experience, from the experience of my own tenants and from the experience of my constituency that no *kharaba* was given to the people by the Canal authorities. These tracts were checked not only by the kanungos, but also by tahildar and revenue assistant and kharaba was allowed by revenue authorities, but the Canal department allowed nothing. The zilladar never came in time and even if he came in time, he never gave any *kharaba* and yet people say there should be no amalgamation of the Canal and the Revenue departments. If only there had been an amalgamation of the Canal and the Revenue departments, I dare say the poor people would have been saved all these hardships and all the harrassing that are going on at present. When the canals fail in the month of September, how on earth can any one believe that a tenant or a zamindar can sow rabi crop on his lands. The seeds that these poor people sow do not take root, but they wither away and people are quite upset when they are called upon to pay revenue and *abiana* for lands in which there have been no harvest. I was advised by the Chief Engineer to tell all the zamindars not to pay any bribe-

to the patwaris to allow *kharaba* and I have done so. I issued a notice to all people that when the patwari came no bribery should be given to him. But if no bribe was given to the patwari; he would harrass the poor people and he would make no distinction between *nehri* and *shahi* lands. This is the condition of poverty and corruption prevailing in the villages and yet we find surplus in the budget. All the surplus that the Government has got, together with the remission that is going to be made in the provincial contribution by the Government of India should really go towards the reduction of *abiana*. No reduction should be made in the Motor Vehicles Taxation, in fact, no tax that is imposed on the rich people should be reduced. You can enhance the taxes levied on rich people if you like, but in no case should the tax imposed on the poor be enhanced, it should, on the other hand, be reduced.

The only redeeming feature in this year's budget is the increased expenditure on the beneficent departments. In a year of taxation, when the people are taxed to the utmost limit, the beneficent department get 14 per cent. more than what they got in the previous year. We are all very thankful to the Finance Secretary for having given us very clearly the amount that is spent over the beneficent departments. I hope in the succeeding year the benficent departments will get 20 or 25 per cent. more than what they used to get in previous years.

Now, Sir, coming to the department of Land Revenue, I should say that the land assessment has reached the highest pitch. By increasing the *abiana* slowly and steadily, the Government has been able to raise the pitch to its utmost limit. The Government bases the assessment on the annual yield and by proceeding on wrong data increases the rates at every settlement. The land revenue never goes down, on the other hand it is always on the increase. In this connection, I want to draw the attention of the House to the great harm that is being done to the people of the province by waterlogging. I am very glad that the Government has after all appointed a committee, the waterlogging committee, consisting of experts to go into this matter. This is a very serious question to be tackled at once. We should not be led away by the mere fact that through the introduction of our efficient canal systems we have been able to expand the area of irrigation. Unless some method is adopted to remedy the waterlogged areas, wherefrom will the Government realise their tax? If immediate remedy is not found to reclaim these waterlogged areas, this province will share the fate of the United States of America. Side by side with the expansion of our irrigation, we must also study the sub-soil phenomenon of water and remove the salt deposited in the lands owing to waterlogging. In the tahsils of Hafizabad and Wazirabad and further down in the district of Lyallpur this evil is fast spreading. It is now assuming two different aspects, either the water is coming up on the surface of the earth making cultivation impossible or the worst form of it is that the salt comes up and this evil has enveloped the whole tahsil of Hafizabad and Wazirabad. I am very sorry to learn that the water-logging committee is not going to consider the aspect of the *kallar* lands. The waterlogging is now in the acutest form and this question of *kallar* lands must also be brought within the purview of the committee. If the committee should go into the matter, it can devise some schemes for reclaiming these *kallar* lands. The committee should be empowered to make experiments to see how they can reclaim these *kallar* lands. The salt has damaged a great portion of the

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lands in Muzaffargarh and Multan districts. I suggest that the Government and the waterlogging committee should take a leaf out of the experience in the Multan and Muzaffargarh districts and try to check the danger that is threatening to overtake all the lands. It is absolutely necessary that some method should be found to reclaim these lands, and convert them into culturable lands. Now, Sir, so much about the lands. What about the landholders who own lands in the riverain tract whose lands are laid waste by waterlogging. Those people who own lands on the bank of rivers or near the inundation weirs suffer most when the floods come. All their crops have ceased to grow and their place is taken by *kallar* unfit for cultivation. They have lost their soils and they have the prior claim on the Government in the distribution of peasant grants in the Nili Bar. Those people who have completely lost their lands owing to any of the causes mentioned above should be allotted first in the Nili Bar. The Government should see that at the time of the selection of people for the allotment of peasant grants, no corruption is allowed to creep in. If the Government does not leave things to drift for themselves and allows corruption to prevail among its subordinates, the poor people will suffer much. An honest and absolutely honest officer should be deputed for this task so that he may do justice to these poor people. A very careful and sifting enquiry should be made by an honest officer with the aid of an honest tahsildar so that no people could take undue advantage at the time of allotment of grants.

One word more, Sir. The Nili Bar is going to be opened now. Are you going to leave the locals and the Janglis of the Nili Bar to be in the same condition as the locals in the Montgomery district? Are they going to be scattered away from one place to another? Are they going to be left homless while the people from the other parts of the province are going to settle down there? Surely that ought not to be the policy of the Government. In the case of Lower Bari Doab Canal, Sir, I was very sorry to learn from the report submitted by the Deputy Commissioner that these locals ought not to have been given land because they were not good cultivators. Is it not the duty of Government to make bad cultivators good cultivators? Has Government never done that in the past? What would have been the condition of the locals of the Sargodha colony if Government had not helped them? It was very unfortunate for the locals of the Montgomery district that Mr. Miles Irving was away from the place when the land was being distributed. Mr. Miles Irving's name is known in every household and had he been there, he would not have overlooked their claims. There are many of them who have not got land yet. They are wandering about, doing all sorts of mischief. Having no occupation they have become thieves, no proprietor employs them. The previous Colonisation officers, Mr. Puckle and Mr. Wace, recommended to Government that 40,000 acres of land would be required for them. They are homeless. Either Government should take them away to Dhariwal or to some other convict settlement. What is the use of keeping them there without land? They are homeless. I am very sorry that the Revenue Member is not present at this time, otherwise I would have brought home to him this fact. I would have told him that those who had the prior right to get land are going to jail daily. Is it not the duty of Government to reclaim them? Does he not want to treat them in the same way as were the Janglis of Lyallpur treated?

Then, Sir, I want to make a few remarks on a statement made by an honourable member. I am very sorry that my learned friend representing the Sikh Urban population said that the Rawalpindi District Board had turned Gurmukhi schools into Urdu schools. Surely this communal question should not have been brought in. The Muhammadans too have a grievance. They have no representation in the transferred subjects. And yet they have made no noise about that. Simply because certain Gurmukhi schools have been converted into Urdu schools, the honourable gentleman has raised so much hue and cry. What about communal representation in the Lahore municipality? Here the voting strength and the population of Muhammadans deserve that Muhammadans should be in the majority. . . . . .

Professor Ruchi Ram, Sahni : No, it is wrong.

Sayad Muhammad Husain : According to my information the Muhammadans should be in the majority. But what is the result of the change of Ministry? The new Minister has undone practically all that was done by his predecessor. He has openly declared that he will reconsider the claims of the Hindus. I do hope that he will stick to the policy of his predecessor. It is a just grievance of the Muhammadans that they are deprived of the administration of the transferred subjects. It is immaterial if the reserved subjects are in the hands of an Englishman or a Sikh. We do not mind that one bit, for after all there the Government is the determining factor. Sir Fazl-i-Husain ever since he has been made the Revenue Member, has ceased to be a leader of the Muhammadans. No Muhammadan member goes and calls on him as he used to do when Sir Fazl-i-Husain was in charge of the portfolio of Education. I say, as I have already said, that this is a just grievance of the Muhammadans. So I would suggest to Government to remove that grievance by creating another portfolio. Similarly, some steps should be taken by Government to once for all fix a certain proportion of posts in the different services to be allotted to different communities compatible with justice and do away with the bickering which is going on. Let the Hindus and the Muhammadans who have to live in this country jointly and who have to make their destinies here together be above all those communal questions and let them all work for the attainment of common cause and for the attainment of self-government. The story in the Arabian Nights exactly applies to us. Emperor Harun-ul-Rashid one evening brought a commoner to his castle and told him that he was king and master of the whole kingdom. The man so forgot himself that he began to dance and jump, when all of a sudden he was removed to his own place. Then it dawned upon him what he really was. Similarly we who have not got anything, quarrel with each other on trivial matters. People have no say in the administration of their country. Taxes are being imposed upon us without our consent. In order to realise our dream there is one way, and that is the unity of Hindus and Muhammadans. Until we are united, we can do nothing. Even the Swarajists instead of creating unity are fighting on communal lines. Let us do away with our communal questions and fight unitedly for the common cause.

Mr. E. Maya Das (Non-official, Nominated) : Sir, I would also congratulate the Finance Member and the Secretary of the Finance Department for the budget which has been placed before the Council. I would also congratulate Government for the expansion of medical relief by deciding

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to open a large number of rural dispensaries. I can assure the Government that the people where these dispensaries are being opened have been made extremely happy and are showing great eagerness. Many come forward and say: Do not open it in this place, open it in my village for the time being; I will offer free accommodation and give other help. These dispensaries are going to be opened from funds given by Government, but, Sir, it will appear that the funds provided may suffice for starting them but if these dispensaries prosper, more money will be needed and I hope that when more money is required Government will be coming forward to give the necessary help. I would also request Government to make one little enquiry to see whether the establishment which it has been proposed to attach to these dispensaries is sufficient and if the buildings that are proposed to be constructed are sufficient. If these be not sufficient, then necessary action may be taken.

I would also congratulate Government about the making of metalled roadways. Government has taken over a number of roads from district boards. They have been provincialised and it is proposed to metal them. I would suggest that instead of the roads being metalled, commencing from one end and going on gradually to the other end, the portions which are more important and where there is a greater demand be taken up first. How is it to be found out where the demand exists? I would suggest that if in any locality the people are prepared to come forward offering to Government a sum of money sufficient to cover the initial cost, Government should be pleased to consider the advisability of metalling that portion first.

Recently it has been decided that rural sports should be encouraged. I am not aware how much money Government proposes to give for the encouragement of rural sports. I would also make mention here of the Provincial Olympic Games Committee and would suggest that Government consider the advisability of bringing into existence machinery which may co-ordinate the efforts of these two different departments. It is possible that in these villages we may be finding persons who will be fit for taking part in Olympic games. Some effort at co-ordinating appears advisable.

It has been suggested that *abiana* should be reduced. If possible, let the *abiana* be reduced, but before making any such reduction it seems to me that the claims of the *chahi* areas and the *barani* areas should not be overlooked. It has been reported that the cost of irrigating one acre of wheat by the canal is about Rs. 6 or 7, whereas the cost of irrigating one acre of wheat from wells is about Rs. 23. When the wheat of these areas goes to the same market if the owner of the *chahi* area can make a profit, surely the owner of *nehri* lands should make very much bigger profit and yet it seems very difficult to understand how the latter class of people complain that they are very bad off. (Hear, hear.) Then, Sir, there is one more point, namely, that every fifth or sixth year rain holds off as we see in this year. I say, who is going to profit and who is going to suffer in a year like this. The people of the *nehri* land complain that their outturn is going to be very small, but what about the people of the *barani* areas where they do not even expect to get back even the seed which they have put into the ground and because the total outturn will be very small the rate at which wheat will sell will be very high, therefore the gain to the people in the *nehri* area will be very much greater.

Then, Sir, reference has been made to cattle, lifting. I also belong to a district where cattle lifting is common. We do feel the need for expert trackers. I would suggest that in the areas where sufficient number of expert trackers are not available, something should be done to remove this difficulty and that some efforts should be made to see that proper trackers are supplied.

Khan Bahadur Shaikh Abdul Qadir [West Punjab Towns (Muhammadan), Urban]: Sir, I associate myself whole-heartedly with the appreciative references that have been made to the Honourable the Finance Member and to the honourable the Secretary for Finance for their presenting to this House a budget with a surplus balance. In connection with the disposing of the surplus money that is at the disposal of the Government in connection with the year's budget, two kinds of suggestions have been made by various honourable members who have spoken before me. Some referred to the necessity of reducing taxation and others made various suggestions with regard to the improvement of nation-building departments. The line which the Honourable the Finance Member appears to have preferred to take is indicated at page 3 of his interesting and instructive report where he says:—"The discussion on the budget of last year showed an almost universal demand for more outlay on nation-building, education, medicine curative and preventive, agriculture, industries, roads: and pressure for application of funds to these purposes rather than to reduction of debt." And he adds: "The subsequent proceedings in May showed the Council quite ready to approve projects aggregating 50 lakhs for those purposes out of unexpected funds. Government is at one with the Council in this matter and is this year proposing a more liberal scale of new expenditure; largely on beneficent departments". Now, I welcome that resolve on the part of the Government to give more to the beneficent departments and to help in the great work of nation building which this Council has before it, but I must say that I sympathise also with the view of those who have urged the reduction of certain taxes to a certain extent. The reason why I do so is that some of these taxes have been recently enhanced on the ground that the year in which that enhancement was proposed was a bad year, a year with a deficit budget. In order to meet that emergency some additional taxes were proposed. There was some opposition to the imposition of this additional taxation, but on the whole the majority of this House agreed to have that additional taxation in order to avoid any embarrassment to Government and in order to meet the deficit, but really on the understanding that the additions were more or less temporary, necessitated by that peculiar occasion and that relief would be given when the Government is in a position to give relief. Now we have been fortunate, owing to a combination of circumstances this year, to have a considerable surplus in the hands of Government. But so far as the proposals of Government are concerned there is no indication that it wants to give any relief with regard to any of those additional taxes.

Attention has been drawn in this House already by certain speakers who have preceded me, to the necessity of a reduction in the additional *abiana* recently imposed or a reduction in the stamp duties or court-fees. I need not repeat those suggestions. But I just want to take this opportunity of inviting the attention of this House and of the Government to the advisability of considering the reduction of taxation and considering the necessity of giving some relief in that direction.

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I do so not only in the interests of the tax-payer which is important, but also in the interests of Government. My own idea is that if at any moment of need, at any time of deficit, in any lean year, Government wants to ask the people to submit willingly to additional taxation, its own best interests require that it should, even without any pressure from this Council or from the people, try to give relief when the giving of relief is possible. This would create a sort of confidence among the people and they would feel that it is only when it is really necessary, when it is strictly necessary, that the Government imposes additional burdens on them and not otherwise. But if at a time when there is a surplus, Government proposes to have a certain sum as a reserve and to give a loan to the Government of India, the tax-payer may turn round and say "Look here, my dear Sir, the position is somewhat similar to this: I advanced something to you at a time when you stood in need of it, in the hope that I will get it back from you. Now that you have had good income and you are in a position to give some of the money back to me, you say 'Yes, I admit that I have had an extra income, but I have laid by something against a rainy day and I have advanced something to my rich neighbour and so I am not in a position to give back any of the sum that you had advanced to me". I do not think the tax-payer will be far wrong to argue in that way. Therefore I contend that it is really in the interests both of Government and the tax-payer that some relief in taxation should be given. As to what the form of relief should be, that is of course for the Government to consider. Suggestions have been made. All those suggestions are good suggestions in their own way. I would, in this connection, lay emphasis on one of the suggestions, which from one point of view, appeals to me more than any other. That is the question of court-fees. That is a question which affects all classes of the population alike. Among the litigants there are representatives of the rural interests as well as urban interests. But the way I look on it is that though to maintain the judicial department considerable expenditure is necessary and that expenditure is to be met by income derived from court-fees, yet at the same time it must be remembered that it is not proper, it is not just, to make profit over the administration of Justice. If after supplying all the needs of the courts from that particular source of income, a surplus is left, then a legitimate claim, and I think the first claim on that surplus is by giving relief as to taxation under this head, and for that reason I think that this suggestion deserves careful consideration on the part of Government.

Sir, one or two other suggestions which I want to make on this occasion relate to the nation building departments. I think I may begin by emphasizing the need of doing more for female education in this province than has been done so far. Sir, you are well aware that this is a subject on which so far as theory is concerned, everyone says, it is a very noble object. Nobody says that money should not be spent on female education. Yet as a matter of fact we find that hitherto enough has not been done for the education of our girls. I think it was two years ago that one honourable member in this House proposed that some part of the education grant should be reserved or set apart for extension of education of girls. I am not aware, that that suggestion has been accepted or acted upon but I think it does deserve very careful consideration and the time has now come that a very much larger number of girls should receive education, elementary as well as higher education and also, in the case of girls capable of doing so, some kind of voca-

tional education. Only the other day this house passed a resolution giving votes to women. There was a good deal of enthusiasm in various sections of this House for the passing of that resolution and we saw that day that the visitors' gallery was full of ladies of various denominations, who were also very enthusiastic about the passing of this resolution. I understand that that resolution has since been accepted by the Government and so votes have been given to women. Now, Sir, in order to enable a large majority of them to take advantage of the right that has been granted to them and in order that they might take their due share in the civic advancement of this province and of our country, education is absolutely necessary. In the present state of things when so few of our women are educated, when only a very small number of them are literate and when a great mass of them are illiterate, besides suffering from many other difficulties brought about by the customs of this country, it is really very hard to give them the right without making them capable of exercising that right properly. If it meets with the acceptance of the Government, I would suggest that a committee may be appointed by the Ministry of Education to consider this question in all its aspects and to suggest a scheme for the kind of education that should be imparted to our girls in this province. What is now happening is this. Even in the schools we have, generally speaking, the education that is given to girls is on the same lines as is imparted to our boys, so that our girls just learn the three R's and they are often soon after sent back to their homes when they get themselves married. This is not exactly what is wanted. In every country a girl requires an education very much different from that of a boy, according to her special needs and requirements, and in this province it is according to the needs and requirements of this province, education of females is needed. Therefore if a committee is appointed, it would go through the whole question and lay before the Council a well considered scheme of education for our girls. Such a committee would render a great service to this province.

Coming now to another beneficent department, that of medicine, I want to add a word or two to what has been said just now by the honourable member who preceded me about the expansion of medical relief to villages. It is very gratifying to learn from the report of the Honourable the Finance Member that in the Health programme proposed by the Government, there is a provision in the future for 375 new village dispensaries of which 70 are to be provided in 1926-27. The Government may well be congratulated on that resolve. As was remarked previously by one honourable member that this is a real boon to the villagers. This is a much needed relief and a long felt want that is now being met. But in that connection, I think it is worth while to take into consideration the idea which is being put forward in various parts of the country, including this province, of trying to give some medical relief in rural as well as in urban areas, in the shape of making provision for at least a few hospitals which would work on the lines of indigenous systems of medicine. I mean Unani and Ayurvedic systems. As you know, Sir, there was a time when the Western system of medicine, now so well recognised and appreciated in this country, was looked askance very much by the people of this country and in return the professors of the Western system looked very much askance at the indigenous systems. They not only looked askance at the indigenous system but they really looked down upon them and said there was nothing in them. But the people were very much attached to those systems and somehow or other those systems suited

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them so well according to the peculiar climatic conditions of our country especially on account of the cheapness and accessibility of the medicines used that they have survived all that prejudice and are still there. What is further worth remembering is that in certain parts of the country regular institutions have been opened for the training of men in the Tibia and the Ayurvedic systems of medicine. For instance there is a good Tibia College in Delhi. In Lahore too so far as I know two schools exist, one in connection with the D. A.-V. College and another in connection with the Islamia College where the Ayurvedic and the Unani systems of medicine are respectively taught. But these schools are in an elementary condition. They have been given some grants by the University but they have hardly been taken notice of by the Government or by the Ministry of Education and are in need of much improvement and are also capable of much improvement. I do not wish to take much of the time of the Council on this point. If in view of the circumstances that I have mentioned the Government is pleased to consider this matter and extends some help experimentally by the providing of such hospitals as I have suggested, I think it will be doing very useful work. If these hospitals succeed then the question of their expansion may be considered.

Reference has been made to the improvement in village sanitation and I am glad that the Government is emphasising this point in connection with this year's budget and that the newly organised Rural Board is going to get, I believe, a good share of the money for carrying on this beneficent work. This work, if properly supervised and if properly done will considerably ameliorate the condition of our villages. Similarly the help that is being given to the Department of Industries is very welcome. Another department which requires all the support that it has hitherto got and all the support that it can get in the future is the co-operative department (Hear, hear). We have recently seen a very good and well organised demonstration of what that department is capable of doing, in the conference which was recently held in Lahore and which was the first of its kind in the Punjab. That should encourage everybody to devote more attention and more energy to this work and to give more money to the working of that department.

There is another department to which I may make a reference, as I have recently had on opportunity of doing a little work in connection with it. I am not going to allude at present to the results of that work, as they will come before the Government and before the Council also, I believe, in due course. I am referring to the Jail Department. At the present stage I may say this much, that the Committee on which I worked and which was appointed by the Government to enquire into certain things relating to the jails in the Punjab has made certain recommendations to Government for improving the jail admininstration, which, if accepted by the Government will involve considerable additional expenditure. If those improvements are to be made, we shall have to be prepared for that expenditure and I just mention this in order to invite the attention of the Honourable the Finance Member and of this House to that fact, so that the Government and the House may be prepared for that contingency.

Dr. Gokul Chand, Narang : How will the House know what reforms are to be carried out ?

Khan Bahadur Shaikh Abdul Qadir : When the report will come out, the House will know what the suggestions are. I cannot say when the report will come out.

Before concluding I just want to refer to another point to which reference was made by the honourable member who preceded me and that was the encouragement of rural sports and provincial Olympic games. I think the Olympic games and the rural sports are things worth encouraging. I am in favour of that suggestion but I do not confine myself to merely supporting it, but wish to add that I regard the amelioration of the physical condition of the people and the improvement of physical culture as a part of education (Hear, hear), and as a part of nation building and therefore any money that the Government can devote to this object, I think, would be well spent, and I am sure it would be well appreciated.

5 P.M. In conclusion, Sir, I may just associate myself with the suggestion that was made by the honourable member sitting next to to me on my right in connection with grants to *janglis*. I think he has done well in drawing the attention of Government to the claims of this class of peasants. It is true that they were at one time given opportunities of taking as much as they liked of land in the new colonies, but at that time their nomadic habits stood in the way of taking kindly to cultivation and they themselves held aloof as it were from land but things have changed considerably since. A very large number of them are now keen on settling down and on cultivating, and such of them as show that inclination, certainly deserve to be encouraged in that tendency. They are, with all their faults, a very gallant people and a very intelligent people, though they are not generally educated. Very few of them are literate but by nature they are very quick and very intelligent. I have lived and worked among them for a number of years and therefore while knowing some af their weak points, I know some of their strong points and have admiration for those points. I therefore support the good word that my honourable friend from Shahpur has put in for them.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Rural]: Sir, I heartily associate myself with the other members who have already spoken in congratulating the Finance Member and his able lieutenant, the Financial Secretary, on the budget that they have presented to us. The masterly hand I find in the budget is there.

With regard to the surplus, various suggestions have already been made as to how it should be utilised and I too have something to submit on the subject. I strongly submit that the benefit of the surplus that will be in the hands of Government should be given to poor people. They deserve it, whether they belong to the rural areas or whether they belong to urban areas. To those who live in rural areas, I submit that small landholders and those whose lands depend for their harvest on the *barani*, are the people who deserve to receive the benefit of any relief that Government intends to give. My zamindar friends who have spoken have been crying aloud for reduction in *abiana*. Sir, I may say without any fear of contradiction, that *abiana* too has been considerably reduced. Government originally intended to raise the *abiana* by 79 lakhs of rupees It was not raised to that extent. It was short by 25 lakhs. Government again took the matter into consideration and reduced it to the extent of 17½ lakhs. Out of the total proposed enhancement of 79 lakhs, Government has already reduced it by 42½ lakhs. I am subject to correction, if I am wrong, but the enhancement was only made to the extent of 36½ lakhs. With regard to *abiana*, I have submitted before this Council when I had an occasion to speak last time, that it is not a tax. It is a charge made by Government

[Lala Mohan Lal.]

for use of a commodity which belongs not to a particular individual but to the whole State. The urban people as well as rural are entitled to the price of a commodity which belongs to all of us and if by the use of that article the people who get increased produce are asked by Government to pay where lies the grievance. I personally do not understand what grievance they can have against Government. Some of my honourable friends have spoken about land revenue and have compared it with income-tax. Let me remind my friends that income-tax is levied on an income which a man earns. It is held that land from time immemorial belongs to State and the property does not belong to a particular individual. Whatever charge is made by Government for the use of the land is land revenue, while income-tax which is levied by Government is on an income earned by a man by his own labours and capital. The income-tax is a tax on his earning. It is quite different from land revenue. To the person who gives income-tax Government does not give any help. He uses his own capital, he uses his own energy, he uses his own brains and he uses his own devices to get an income, and Government is justified in not asking a man whose income is less than Rs. 2,000 to pay an income-tax.

Then, Sir, several members have drawn the attention of Government to the purposes for which the surplus should be utilized. Some members have suggested the opening of more schools for female education and for other purposes, but no one has so far made a suggestion that the surplus should be applied to opening more schools for the depressed classes. I would strongly urge Govenment to open more schools for the uplift of the depressed classes, and hope that the matter will receive the consideration of Government.

Sir, I find in the budget that an account has been opened which is called the "Extraordinary Account" due to the windfall that has fallen on account of enhanced income from court-fees. That money amounting to 40 or 41 lakhs together with other money has been advanced to the Irrigation Department and has been applied to capital expenditure, and probably it will bring an income. I can safely say that Government will get another opportunity of getting this windfall as soon as the Money-lenders' Bill is passed into law. As Government also has now taken to advancing money, I hope they will use the prescribed forms for keeping their accounts and follow the procedure that we are going to be asked to follow (laughter). I strongly recommend for the consideration of Government that the question of reducing the court-fees should be taken seriously into consideration. Eleven and-a-half per cent. on court-fees is a very high figure. The stamp duty on the sale of land which was raised by us in 1925 was, I think, 3 per cent. This, I submit, is also money which is paid by the poor. The person who sells his land always stands in need of money and the purchaser who is the capitalist forces the man to part with land. The man who pays stamp duty gets less as price for his property. That question also should require the serious consideration of Government.

Sir, I had tabled a resolution on the question of motor taxation. Motors can be divided into two groups, *viz.*, motors plying for hire and motors used for industrial purposes. There are lorries which are being used for improved communication and which are for industrial purposes. They should be totally exempted now when the finances of the Punjab are better. I would like in fact that tax on motors should be altogether abolished, but if that is not possible at least the tax on motors used for communication and industrial purposes should be reduced. The honourable members must have seen that

people have begun to use more lorries that are being plied for hire and those used for the purposes of the carriage of merchandise. This question too requires the attention of Government.

Sir, before I sit down, I consider it my duty to say something with regard to the remark made by my friend Sayad Muhammad Husain. I am sorry he is absent at the moment. He said that the Muhammadans have not their due share in the transferred departments. I congratulate Government on the new appointments that have been made. My friends have been taking advantage of communalism sometime and sometime they have raised the question of agriculturist *versus* non-agriculturist. But now fortunately Government has been pleased to appoint two gentlemen who both of them belong to the agriculturist class. Even then the aggressive attitude of the Muhammadans would not tolerate them. The two Ministers appointed by Government belong to the agriculturist class for whom a majority of my Muhammadan friends have been crying in this House by saying that agriculturists should have the administration of the transferred departments and when Government wisely takes that step and appoints two of them who belong to that class, still the aggressive attitude of the Muhammadans cannot tolerate them. It is a curse that we in the Council are fighting on communal lines or on class lines. My friend Sayed Muhammad Husain said that this is a curse yet he himself and honourable members on the other benches have themselves in season and out of season raised communal questions. The fact is that we are not honest and fair. If we have national interests, we should live honestly. I personally admit that we are not honest and I hope that the Muhammadans will also admit that they are not honest either. If all of us are anxious that we should have the interests of the Punjab at heart, it is our duty to sink these petty differences and if we do so I can assure all honourable members of the House that the cause of the province will be advanced. We may blame Government, we may blame anybody else we like, but I say this, and I say it openly, that we are not honest ourselves. With these remarks I resume my seat.

Khan Muhammad Abdulla Khan [Muzaffargarh (Muhammadan), Rural] : Sir, the people of the western districts were eagerly looking forward to the presentation of the budget for 1926-27 to know what provision, if any, was made for the amelioration of their lot. But, Sir, they were doomed to disappointment. For when the budget came it made no provision for the poor districts like Muzaffargarh. Sir, a very able officer, Mr. Anderson, reported as Settlement Officer that the revenue of the Muzaffargarh district should not be fixed at more than 17 per cent., and though the Commissioner of the Division also supported that view, yet the Financial Commissioner from Lahore, without possessing any personal knowledge of the *ilaqa* ordered that it should be fixed at 47 per cent. Sir, this is a *ilaqa* which was flooded last year by the river Indus. The zamindars have been ruined. But no provision has been made for the bettering of their condition. Neither has any provision been made to prevent the flooding of the *ilaqa* in future. Then, Sir, in 1902, an Act was passed to irrigate the *ilaqa* called Thal and under the provisions of the Act the zamindars were asked to give ¾ of their lands to the Government. But though the Act has been on the statute book now for the last so many years and the people have been made to promise three-fourths of their lands, no canal has been dug so far and the result is that the people do not know what to do. They cannot improve their lands for fear

[Khan Muhammad Abdullah Khan.]

of their being taken away from them. And when the Government is questioned as to the intentions the reply is given that the matter is being negotiated with the Bombay Government. Now, Sir,

تا تریاق از عراق آورده شود مارگزیده مرده شود

Then, Sir, there is no school in Muzaffargarh, hospitals are few and far between. There is none between Rangpur and Muzaffargarh, a distance of about 45 miles. There are no canals worth the name and those that do exist flow only during the months of June to August though I believe they must be shown as perennial canals. Muzaffargarh really is in a God forsaken condition. Nobody cares for the people of this district. A few days back when His Excellency the Governor visited Leiah the zamindars of the place laid their grievances before him. His Excellency, thereupon was pleased to direct the Commissioner to give us a letter for the Chief Engineer before whom we were directed to place our grievances. I, therefore, wrote to the Chief Engineer to grant time to receive the deputation. But I was told that the district did not lie within his jurisdiction. We thereupon approached the other Chief Engineer and received the same reply that is that he had nothing to do with that district. I was at a loss to know what to do. . . .

Mr. J. M. Dunnett: Go to Nawab Sahib. There is the Information Bureau (laughter).

Mr. W. P. Sangster: The honourable member was in my office for two hours yesterday and I explained to him the whole matter.

Khan Muhammad Abdulla Khan (continued in Urdu): Sir, I still maintain that though Mr. Sangster expressed his willingness to help me he said that he had no connection with the district and directed me to see Mr Smith who was concerned with the district. In the meantime Mr. Smith also turned up and on being asked he told us that since he was a new man he was not fully aware of the conditions of the place, he therefore wanted time. Sir, I then went to see the Honourable Revenue Member and spoke personally to him, but I was told that he also was new to his office and would like to study the files before he said anything about it. Sir, this is how they treat this district. There is no road in the district, there is no hospital, for animals or for men, there are no schools industrial or other revise and if anybody manages to get a little education nobody cares for him.

Sir, we have been told by Sir John in his speech that so many lakhs of rupees have been given to the Government of India on loan at 3½ per cent. But Sir, this is like feeding the man who is already overfed. It would have been better if it were utilised for the improvement of the conditions in Muzaffargarh.

The Honourable Sir John Maynard: Unfortunately, Sir, that will be given back in 8 months.

Khan Muhammad Abdulla Khan (continued in Urdu): Sir, this is like promising food after four days to a man who is used to taking four meals a day. Then, Sir, a canal is to be dug at Hawelian which is proposed to irrigate the ilaqa up to Rangpur. The main object of this canal is to irrigate a few pieces of Government land which they want to sell and get money for. Sir, I suggested an alternative scheme but it was objected to on the ground that the land is uneven for a stretch of over

twenty miles while the fact is that the uneven portions do not go beyond two miles. Sir, it has also been proposed to enhance the water-rate. I town squares of land in Khanewal on perennial canals and I have only to-day heard from my agent there that the canals have been closed for the last one month and a half and the crops are dying out. When this is the condition of the perennial canals, I fail to understand with what show of reason, then, you can enhance the water rate. We have already a donkey load of taxes. How much more, do you want to impose upon us? Muzaffargarh is a very poor *ilaqa* and when the land is being distributed in the Nili Bar, the claims of the agriculturists and the non-agriculturists who have no land should also be sympathetically considered. With these words I beg to close my speech.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural]: Sir, it is customary that congratulations are showered on the Finance Member and the Finance Secretary on the budget occasions and I also join in that. But those congratulations should not be given entirely as they are given. I beg to say, Sir, that this reform scheme in this Province has brought in its train more troubles, chief among them being the communal trouble about which good many hints have been already thrown. But the second great trouble is the enhanced expenditure which in consequence has brought very heavy taxation, chief among them being the enhancement of stamp duty twice, court-fees, *abiana* and the imposition of motor tax. In addition to these, local bodies are also empowered to increase taxation in their areas. When I look at these taxes then I am constrained to withhold my congratulations to those concerned. The provincial taxation is not the only taxation that we are suffering from. There is the income-tax also which causes great inconvenience to the people. That goes to show that taxation has become very heavy. There might be some other taxes which I might have forgotton, but I hope my learned friends will refer to them when their opportunity to speak comes. The new settlements that are continually going on from year to year and for which a sum of 10 lakhs has been provided for in this year's budget will also go to tax us more and more every day. And whatever the Settlement Officer forgets will be made up by the Financial Commissioner and the land revenue will be made as high as possible.

As regards stamps, both judicial and non-judicial, under this head on the receipt side, there is one crore and 20 lakhs, while the expenditure is only 2·75 lakhs. I think I can fairly ask the Government to revert to the old rate of court-fees and stamp duty. Even if the Government cannot act up to my suggestion and go back to the old rates, I beg to submit that a *via media* may be thought of so that the burden may be lightened a little. Only such rates should be fixed as are bearable. Otherwise, the consequence will be that the income will decrease considerably, for there will be less litigation owing to high rate of court-fees. Taking the instance of the Court Fees Act, the plaintiff who brings a suit in court has to pay several fees; he has to pay court fees on his plaint, he has to pay process fees, the petition writers' fees, the pleader fees, miscellaneous expenditure and he has also to bear the expenses due to corruption, besides he has to pay *batta* for witnesses. Thus a party who wishes to resort to law courts has to incur a very heavy expenditure and this deters many people from the idea of filing suits. This will naturally lead to decrease in the income under this head to Government unless they revert to the old rate of court-fees. I therefore submit that the present high rate of court-fees should be reduced.

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As regards the Stamp Act, I would also request a reduction in the duty. At present three per cent. is charged on sales and conveyances in urban areas and cantonment areas. This, I beg to submit is very excessive, because this three per cent. doubles itself in sales and conveyances by two per cent. commission and one per cent. extra expenditure, that means that for every rupee that a person buys an estate, he has to pay one anna more. I therefore request that the stamp duty in urban area and in cantonment area should be brought down to Rs. 1-8-0 as it used to be and this would give a great relief.

Now coming to the head, Forests, I think this is a department which should be more paying than it is at present. It continues to increase its expenditure while its income does not so increase proportionately. The expenditure budgetted for next year is nearly 31 lakhs which is nearly 8 lakhs more than in 1924-25. The income has not proportionately increased under this head. I understand that a Forest Board has been appointed and I hope that that Board will show the way by which the income of the Forest Department can be increased. Under the head No. 8, organisation, improvement and extension of forests, there is a recurring expenditure since many years, but the result is not very appreciable, because if there was a recurring expenditure for many years, there should be quite a large area of new forests which should have increased the income of the department, but the income has not been increasing. I submit, Sir, that this is a department which ought to show more improvement in bringing income to Government.

Coming to the head Irrigation, there is an enormous income. Of course much has been said about *abiana*. I am not going to repeat that. But I submit that when there is such an enormous income under this head, it is time that the Government considered the advisability of reducing the *abiana* rates. I am sure that if my honourable friend the Chief Engineer gives his serious thought to it, the expenditure under the head, Irrigation, can also be reduced, because in the budget, we see there are several items where reduction is feasible and essential.

There is another important department, the General Administration. The total demand under this head is one crore and nearly eight lakhs. The expenditure under this head is becoming top heavy every day. Looking at the final account of 1924-25 the expenditure under this head was 82 lakhs, thus there has been nearly an increase of 26 lakhs under this head since 1924-25. I submit, Sir, that retrenchment, under this head is absolutely necessary because the expenses are increasing every day. It is for Government alone to effect retrenchment under this head, as well as under the head, Irrigation, because no Standing Committee of the Council can do anything at all.

The Honourable Sir John Maynard: May I enlighten the honourable member as to the real figures? They are 97·77 lakhs.

Rai Bahadur Lala Sewak Ram: I may be permitted to add that the enormous increase under this head, General Administration, is also due to the kindness of the Reforms which have brought us the two executive councillors and the two ministers with a monthly salary of Rs. 20,000. Taking also the expenditure for the staff necessary for the executive councillors and the ministers, the expenditure has become very excessive.

Another point under the head, General Administration, that I wish to dwell upon is the question of Commissioners. Time and again, this Council has brought to the notice of the Government that this office should be entirely abolished.

The Honourable Sir John Maynard: May I point out that this is a non-voted subject? I ask whether the honourable member is in order in discussing a non-votable item.

Mr. President: In general discussion on the budget remarks on non-votable items are quite permissible.

Rai Bahadur Lala Sewak Ram: I remember, Sir, that at one time this House cut down the votable items of the officers of two Commissioners and when they were cut down, we expected that Government will see through the intention of the Council and abolish at least two Commissioners, but later on those items which were cut down by the Council were again brought forward before the Council by way of supplementary grants. I submit, Sir, that the office of Commisioners may be very important from the view point that after a long service the Deputy Commissioners would like to become *bara sahibs*, but from the point of view of the people this office is not at all necessary because we, people in the *ilaqa* call this office a post office. If a paper goes to the Commissioner for report, he merely sends it down to the Deputy Commissioner, and after the report is received from the Deputy Commissioner, the Commissioner merely transmits the same to the Government. Thus the Commissioner merely acts the part of a post office. I suppose that the addition of another Secretary to the Secretariat will render the office of the Commissioner quite unessential because the Deputy Commissioners can deal directly with the Government through the Additional Secretary that I propose to add to the Secretariat. The burden of the Commissioners on the poor zamindars of the *ilaqa* is at present very great and real relief should be given to the poor people of this province by abolishing this post. I therefore submit that for all these reasons the office of Commissioners should be immediately brought under reduction.

Under the head, Jails and Convict Settlements, the expenditure is not very much more than that of last year, in fact it is only about a lakh or so more; but even this expenditure may be reduced in the final budget because a good many of His Majesty's guests have gone out and therefore we expect a reduction under this head. As regards the jail administration, I have to say that corruption still exists and exists in a much greater degree than before. I am sorry to see that in spite of the enormous corruption in the department, the jailors who are the most guilty people are constantly given titles. Any title conferred on any one in the jail department is a direct inducement for him to proceed uninterrupted with his corruption tactics. I do not hold that all those on whom titles have been conferred in the jail department are corrupt. But we can very well see this fact if we judge the history of their careers.

Dr. Gokul Chand, Narang: What about honorary magistrates?

Rai Bahadur Lala Sewak Ram: About 99 per cent. of the officials in the jail department are persons against whom the charge of corruption is laid. In this connection, I would like to point out to the Government that the authorities of the jails do not like to have their acts subjected to the scrutiny of non-official inspection. The Government should give greater

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facilities for non-official inspection and if the treatment meted out to my honourable friend on my right, Lala Bodh Raj, is meted out to non-official visitors, there is not much encouragement for non-official inspection.

Dr. Gokul Chand, Narang: He will be returned by his constituents.

Rai Bahadur Lala Sewak Ram: Then, Sir, it is a great pleasure to see that the expenditure under the head, Police, has not increased much. In every budget, we used to see the expenditure under Police increasing. This time, I find there is not much increase at all. No doubt the work of the Police Department had been appreciated by the conferring of a Knighthood on the head of the Police Department, but I have one little complaint to bring to the notice of Government, that is, the paucity of the Hindu representation in the Police Department. The Hindu community has at present very little chance of securing any appointment in the Police Department. (Hear, hear) By means of interpellations and otherwise, I have always been impressing upon the Government the necessity for giving adequate encouragement to the Hindu community in the Police Department. Every day questions are asked in the Council as to the representation of Hindus and Muhammadans in the various departments of Government. But when one comes to the Police Department, one sees that the Hindu community gets a very poor share of offices.

Then, Sir, under the head, Education, no one grudges any amount of expenditure because this is one of the beneficent departments. Whatever saving we are able to effect in other departments should be spent on removing illiteracy in the province and on bringing education within the easy reach of all. The question of grant-in-aid to private schools has always been engaging my mind and I submit, Sir, that grants-in-aid should be given more liberally to private schools, especially to Hindu schools. I bring to the notice of Government the case of Hindu schools in the Multan division which require more adequate grants-in-aid.

Then coming to the provincialisation of district board schools, I should say that this relieves the district board to a great extent of the expenditure they have to incur on schools. I welcome this policy on the part of Government and I submit that if more schools are provincialised, more money will be left in the coffers of the district boards which they can utilize for lower primary education. I also thank the Director of Public Instruction for giving more second grade colleges to the various districts and I hope the time will soon come when each district will possess a second grade college.

Coming to the head, Public Health, the expenditure under this head has nearly doubled. It was 16 lakhs in 1924-25, whereas it is now 33 lakhs. I hope that this increase in expenditure will not merely go to increase the staff which is usually done, but will be spent in improving the rural sanitation which is badly in need of immediate attention. I submit that every step should be taken to improve the public health of the province.

The expenditure under the head, Agriculture, has gone up considerably but the increase under this head is always justifiable and I always feel that Agriculture Department, like the Education Department, should get as much money as possible.

The Lyallpur Agricultural College has not opened its door to all those who apply. In that college too according to the advice of my friend on my right the agriculturists have the prior claim and the non-agriculturists are driven out. I submit that there should be no distinction in places where education is given. I submit that agriculturists already know agriculture. It is the non-agriculturists whom we want to teach agriculture. Therefore preference should be given to non-agriculturists and not to the agriculturists.

There is another point which I would like to bring to the notice of the department of Agriculture and that is the distribution of seed. There is 3 lakhs demanded in the budget for seeds and there is shown an income of the same amount under the head. I beg to submit that more money than that may be spent on the distribution of good seed.

Now I come to the Industries Department. I find that since its existence there has been no sign of any great improvement. A good deal of money has been spent since this department was established, but in return for that money no improvement has so far been made. We have yet to see what improvement is going to be made in the Industries Department. There again, I make a suggestion that a commercial college may be opened at an early date. I hope the committee which is sitting on commercial education will recommend that and we will soon see a commercial college in this place. As regards industries, I have another idea to submit and it is that State aid should be given for the encouragement of private industries. Unless such aid is given they cannot develop to the extent we should like them to do.

Then, Sir, I beg to draw the attention of Government to another point which has also been mentioned by Raja Sahib. No country can develop industrially without communications. We can talk nothing about railways in this Council, but what we would like is that more metalled roads may be made in this province. At present we cannot even go from one district to another by metalled roads. Take the backward districts in the Multan division. The main road from Dera Ghazi Khan to Rhojan is not metalled, the road from Muzaffargarh to Alipur is not metalled, the road from Muzaffargarh to Rangpur, the road from Lahore to Montgomery and Multan and the road from Lahore to Lyallpur, the road from Lyallpur to Jhang are not metalled. I submit, Sir, that for all these roads if the Honourable Finance Member gives all the surplus we will be glad to have it. I know he cannot give that much, but even if he were to give all the surplus for communications, it will be welcome. As it is we cannot at present carry our produce from place to place. His Excellency the Governor has been to some very backward places in my constituency. He went to Dera Ghazi Khan, Leiah and Rhojan and other God forsaken places and I hope the Finance Member's attention will be diverted to giving the Minister in charge larger grants for metalling of roads . . . . . .

Malik Firoz Khan, Noon: Before the next election, I hope (laughter).

Rai Bahadur Lala Sewak Ram: Sir, one or two points more before I sit down. The budget debate is not meant to be an opportunity for asking for grants of land but as everyone has been asking for grants of land for either the *Janglis* or for some other tribe, I also submit that when grants of land are made on the Nili Bar Canal the claims of Hindu community will not be so hopelessly overlooked, as they are in the case of the Lower Bari Doab Canal Colony.

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Then as regards taxation. If any tax is to be remitted, I suggest that the tax on motor vehicles should come last because I would like those who are in charge of taxation should feel the pinch of it up to the last moment.

I may tell my friend Chaudhri Duli Chand that it is the learned men, professors and others who are elected Fellows of the University, and that Government cannot see their way to making headmasters of out stations as Fellows of the University.

My friend Lala Mohan Lal has already replied as to the question of a third portfolio of Ministership for a Muhammadan and as this subject is rather unpleasant, I do not want to go into it except to remark that one who is already grumbling about Rs. 20,000 a month cannot agree to Rs. 25,000 and I hope this question will not be brought up before the Council.

Chaudhri Ram Singh [Kangra (Non-Muhammadan), Rural] (Urdu): Sir, to-day being a day fixed for general discussion, I will take this opportunity to make a few general remarks.

First of all I would point out to my honourable friend Chaudhri Duli Chand that knowing as I think he does that every Hindu, whether he is an Arya Samajist or he belongs to any other Samaj, has a great regard for the priestly class, it did not behove him, he being a Hindu, to say what he said in the course of his speech in disregard of that class.

Chaudhri Duli Chand: I deny having said anything of that sort.

Chaudhri Ram Singh (continued in Urdu): Then my friend Chaudhri Duli Chand said that Ods as a class were one of the criminal tribes although Government said that they were not. It is possible that some of them may be habitual offenders, but that is no reason why the whole class should be condemned as a criminal tribe. You can find such black sheep in every community, Hindus, Muhammadans or Sikhs.

It is gratifying to note that a sum of money has been provided in the budget this year for the repairs and extension of culverts on the Cart Road running between Dharamsala and Kangra and needless to say that this extension will do much good. But, Sir, there are other matters more urgent and more important with respect to which the people of Kangra need the help of the Government urgently. My honourable friend Malik Firoz Khan has just now asked the Government that it should grant lands to the men of his community and especially to the *Janglis* in the Montgomery District when it is distributing land in the Nili Bar. I would likewise draw the attention of the Government to the claims of the people of the Kangra District. The services that they rendered to the Government during the recent Great War are so great and so well-known as need no mention. There are many amongst them who were granted Victoria Cross in recognition of their valuable services. This district supplied a large number of recruits during this Great War so much so that there were very few families that were not seen mourning over the loss of one or the other of their member in those days. Amongst those who returned home alive, you will find many who either lost one of their legs or one of their hands while fighting on the battle fields. The Lieutenant-Governor in his speech at Kangra on 25th October 1916 had also openly recognised the services of the people of this district rendered by them during the Great War. Besides that the sudden floods in the River, Beas, the Hoshiarpur district have done great harm to the lands

and the people of the Kangra district. Their lands have been washed and destroyed and in certain cases these floods have destroyed certain villages as a whole. If there are left any zamindars now, their holdings are very small I therefore request that the Government should kindly relieve the people of the Kangra district of the miseries on account of their poverty by granting them lands in the Nili Bar. I have already made this request to the Government by means of certain questions. I think they are most deserving people.

I am very grateful that the Government has very kindly decided to open an Intermediate College at Dharamsala and I express this hope that this decision will be soon materialised. But I am really sorry to say that no step has been taken to provide facilities for the education of girls. In an answer to one of my questions, the Government was pleased to say that there existed a girl school in the Kangra District. Perhaps the Government had then in view the Mission Girl School in Kangra. But that is not sufficient for the whole district. I request, therefore, that an adequate arrangement may be made to provide facilities for the education of girls in that district.

Then I find that provision has been made in the budget for the opening of Industrial Schools in Bhiwani, Jhang and in one or two other places. But no such provision has been made for the Kangra District although it should have been the foremost place in the list of places where such schools are intended to be opened, because this is a district which is cut off from other districts and its people are very poor. I hope, therefore, that the claims of my district will not be overlooked at any future time when such schools will be opened at other places. Besides I have to make another complaint and that is that there are no reading rooms in my district. The Government should see that reading rooms are opened in adequate number very soon. Except the cart road, which is the only road worth the name, the condition of the roads in the Kangra District is also very bad. They are badly in need of repairs.

Then there is another important matter to which I would draw the attention of the Government and that is about the difficulty of the lambardars of that district. Sir, the Kangra District is a poor district. In this year of drought, they will not be able to pay even the land revenue, but lambardars must pay the revenue within dates fixed for such payments. If they pay even one day after the date fixed, they forfeit their *panchotra*. This rule needs modification in favour of lambardars.

The Council then adjourned till 2 P.M. on Friday, the 5th March 1926.

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36 PLC—393—16-3-26—SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Friday, the 5th March 1926.

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

QUESTIONS AND ANSWERS.

EMOLUMENTS OF ZAILDARS AND SUFEDPOSHES.

2670. **Sardar Tara Singh**: Is it the intention of the Government to give effect to the resolution of the last Council to increase the emoluments of zaildars and sufedposhes? If so, when? If not, will the Government please state reasons for not giving effect to the resolution?

The Honourable Mian Sir Fazl-i-Husain: The resolution referred to by the honourable member has received the most careful consideration of the Government. Searching enquiries were made and the arguments for and against the proposal were reviewed, and the conclusions arrived at were that the amount of emoluments was not the attraction for these posts, that the increase of emoluments recommended by Council is not likely to bring a different or better type of the zaildar or sufedposh into being, and the public spirit and traditional notions of serving the countryside should not be discouraged by treating these offices as if they were ordinary paid posts.

Chaudhri Afzal Haq: Is it a fact that the emoluments of certain zaildars of certain districts in the Punjab have been increased?

The Honourable Mian Sir Fazl-i-Husain: That was due to what I may call natural causes at the time of settlement. I believe the honourable member is referring to Sheikhupura.

Chaudhri Afzal Haq: No, Sir, I am referring to Sialkot and Gurdaspur.

The Honourable Mian Sir Fazl-i-Husain: I am not aware of the alleged increase in these two districts.

ENHANCEMENT OF THE RATE OF PACHOTRA OF LAMBARDARS.

2671. **Sardar Tara Singh**: (*a*) Is it a fact that the Government has under consideration the proposal for the enhancement of the rate of pachotra of Lambardars?

(*b*) If the answer to part (*a*) be in the negative, does the Government propose to take up the question for consideration?

If not, why not?

The Honourable Mian Sir Fazl-i-Husain: (*a*) No.

(*b*) No, because the need for it does not appear to have been established.

PATWARIS AND ALLOWANCES.

2672. Sardar Tara Singh: (a) Is the Government aware that patwaris are entrusted with work which does not form part of their legitimate duties such as the preparation of electoral rolls of various elected bodies?

(b) If the answer to part (a) be in the affirmative, will the Government please state whether they get any allowance for such work?

(c) If the answer to part (b) be in the negative, does the Government propose to give them such allowance in future?

The Honourable Mian Sir Fazl-i-Husain:—

(a) Yes.

(b) Sometimes.

(c) Does not arise.

REMISSION OF SCHOOL FEES OF THE CHILDREN OF PATWARIS.

2673. Sardar Tara Singh: (a) Will the Government please state whether patwaris enjoy any concession in the matter of the education of their children by way of remission of school fees?

(b) If the answer to part (a) be in the negative, does the Government propose to consider the desirability of giving them this concession?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) No.

(b) No.

TRAVELLING ALLOWANCE TO PATWARIS.

2674. Sardar Tara Singh: (a) Will the Government please state if travelling allowance is allowed to patwaris for journeys performed on official duty beyond five miles from their headquarters?

(b) If the answer to part (a) be in the negative, will the Government please state the reasons for the same?

The Honourable Mian Sir Fazl-i-Husain: (a) Yes, for journey by rail, on transfer, and to and from the Tahsil and District Headquarters.

(b) Does not arise

HOLDINGS IN THE MOGA AND ZIRA TAHSILS.

2675. Sardar Tara Singh: (a) Will the Government please state what is the average holding per head in Moga and Zira tahsils of the Ferozepore district?

(b) Does the Government propose to grant them land in the Nili Bar. If not, what steps does the Government propose to take to remove the poverty and congestion in both the tahsils?

The Honourable Mian Sir Fazl-i-Husain: (a) The information asked for is not readily available, but the average holding of cultivated land per head of the whole population of the district excluding towns is 2·19 acres which is considerably larger than in other districts.

(*b*) Grants will be made on merits and the fact of belonging to one tahsil or other will not count for much.

Sardar Tara Singh: My question refers to the tahsils of Moga and Zira and not the whole district. Will Government kindly enquire the average holdings per head of these two tahsils?

The Honourable Mian Sir Fazl-i-Husain: I am not sure that such an enquiry could be held with reference to one hundred and odd tahsils in the Punjab.

Sardar Tara Singh: Are not these enquiries made tahsilwar?

The Honourable Mian Sir Fazl-i-Husain: Apparently not.

EDUCATION IN MUKTSAR AND FAZILKA TAHSILS.

2676. **Sardar Tara Singh**: Is the Government aware that Muktsar and Fazilka tahsils of the Ferozepore district are backward in education especially in primary education? If so, what steps does the Government propose to take to remove illiteracy in this backward area?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (*a*) Yes.

(*b*) The problem will be communicated to the District Board, Ferozepore, whose proposals will be considered.

SIKH AGRICULTURISTS IN THE VARIOUS CLASSES OF GOVERNMENT SERVICE.

2677. **Sardar Tara Singh**: (*a*) Will the Government please state how many Extra Assistant Commissioners, Tahsildars, Police and Excise Sub-Inspectors and Assistant Surgeons have been recruited from the Sikh agriculturists of the Ferozepore district during the last five years?

(*b*) If the answer to part (*a*) be none or only a few, what steps does the Government propose to take to make up the deficiency of the Sikh agriculturists in the said services?

The Honourable Sir John Maynard: The honourable member is referred to the general reply to Council questions* 1961—1975 given on the 14th December 1925.

CASES OF ILLICIT LIQUOR.

2678. **Sardar Tara Singh**: Will the Government please state how many cases of illicit liquor have been detected and challaned in the Ferozepore district and from which villages and with what result during each of the last three years, *viz.*, 1923, 1924 and 1925?

*Volume VIII-B, pages 1167—1181 and Appendix VIII, page cxii.

The Honourable Sardar Jogendra Singh: Statement of cases is laid on the table.

Statement showing cases of illicitly distilled liquor in the Ferozepore District.

Serial No.	Name of tahsil.	Name of village.	1923-24. Number of cases detected.	1923-24. Number of cases convicted.	1923-24. Acquitted or discharged.	1924-25. Cases detected.	1924-25. Cases convicted.	1924-25. Acquitted or discharged.	1925-26 (UP-TO-DATE). Cases detected.	1925-26 (UP-TO-DATE). Cases convicted.	1925-26 (UP-TO-DATE). Acquitted or discharged.	Pending.	REMARKS.
1	Ferozepore ...	Ferozepore City and Cantonment ...	6	6	...	...	...	...	7	5	...	2	
2	Do. ...	Malwal Jadid	1	1	...	...	...	...	...	...	...	...	
3	Do. ...	Badbani Jaimal Singhwali	2	2	...	...	...	...	...	...	...	...	
4	Do. ...	Atuwala	1	1	...	...	...	...	...	...	...	...	
5	Do. ...	Baguwala	1	1	...	...	...	...	...	...	...	...	
6	Do. ...	Satiyewala	1	...	1	...	...	...	...	...	...	...	
7	Do. ...	Bootewala	2	...	2	...	...	...	...	...	...	...	
8	Do. ...	Santuwala	...	...	...	1	1	...	...	...	...	...	
9	Do. ...	Basti Manguwali	...	...	...	2	...	2	...	...	...	...	
10	Do. ...	Basti Ram Lal	...	...	...	3	3	...		...		...	
11	Do. ...	Bhoobo Khurd	...	...	...	1	1	...	...	...	...	...	
12	Do. ...	Bhambo Lande	...	...	...	1	1	...	...	...	...	...	
13	Do. ...	Tangwali	...	...	...	...	...	...	2	...	...	2	
14	Do. ...	Poohla	...	...	...	...	...	...	1	1	...	...	
15	Do. ...	Bath	...	...	...	...	...	...	1	...	1	...	
16	Do.	Valoor	...	...	...	...	...	...	1	...	...	1	
17	Do. ...	Mehraj	...	...	...	...	...	...	1	...	...	1	
18	Zira ...	Wasuala	...	...	...	...	...	...	1	1	...	...	
19	Do. ...	Ogar	...	...	...	...	...	...	3	3	...	...	
20	Do. ...	Bhindar Kalan	...	...	...	...	...	...	3	1	2	...	
21	Do. ...	Gugganu	...	...	...	...	...	...	6	...	...	6	
22	Do. ...	Gadiwala	...	...	...	1	1	...	...	...	...	...	
23	Do. ...	Sekhwan	1	1	...	...	...	...	...	...	...	...	

24	Do.	...	Lakoke Kalan	...	1	1	...	...	...	...	...	...	...	...	...	...
25	Do.	...	Kasru	...	1	1	...	...	...	...	...	...	...	...	...	...
26	Moga	...	Nathewala	...	1	1	...	...	...	...	...	...	...	...	...	...
27	Do.	...	Chuhar Chak	...	2	1	1	1	...	1	...	...	...	...	...	...
28	Do.	...	Khosa Pandoke	...	1	1	...	...	...	...	...	...	...	...	...	...
29	Do.	...	Saidoke	...	1	1	...	...	...	...	...	...	...	...	...	...
30	Do.	...	Raolt	...	...	...	...	3	1	2	...	...	...	...	...	...
31	Do.	...	Sighanwala	...	...	...	...	1	1	...	1	1	...	...	...	...
32	Do.	...	Mehna	...	...	...	...	...	...	...	3	1	1	...	1	...
33	Do.	...	Kuhri Kalan	...	...	...	...	...	...	...	1	...	...	...	1	...
34	Do.	...	Ghoka Khurd	...	...	...	...	...	...	...	1	...	...	...	1	...
35	Do.	...	Smadh Bhai	...	...	...	...	...	...	...	1	1	...	...	...	...
36	Do.	...	Himmetpura	...	...	...	...	...	...	...	1	...	...	...	1	...
37	Do.	...	Nathewala	...	...	...	...	...	...	...	1	...	...	...	1	...
38	Muktsar	...	Guru Sar	...	1	1	...	...	...	...	1	1	...	...	...	...
39	Do.	...	Hoghe Ke	...	1	1	...	...	...	...	...	...	...	...	...	...
40	Do.	...	Guru Har Sahai	...	1	1	...	...	...	...	...	...	...	...	...	...
41	Do.	...	Doda	...	1	1	...	...	...	...	...	...	...	...	...	...
42	Do.	...	Khundar	...	...	...	...	1	1	...	...	...	...	...	...	...
43	Do.	...	Dhiganewala	...	...	...	...	1	...	1	...	...	...	...	...	...
44	Do.	...	Bhuro	...	...	...	...	...	...	...	2	1	1	...	...	...
45	Do.	...	Padhri	...	...	...	...	...	...	...	1	...	1	...	...	...
46	Do.	...	Khunda Halal	...	...	...	...	...	...	...	1	...	1	...	...	...
47	Fazilka	...	Fazilka	...	4	1	3	...	...	...	...	...	...	...	...	...
48	Do.	...	Asafwala	...	1	1	...	...	...	...	...	...	...	...	...	...
49	Do.	...	Pacca	...	2	...	2	...	...	...	...	...	...	...	...	...
50	Do.	...	Jhanna	...	1	1	...	...	...	...	...	...	...	...	...	...
51	Do.	...	Pati Sadiq	...	1	1	...	...	...	...	...	...	...	...	...	...
52	Do.	...	Ganj Buz Salih	...	3	3	...	...	...	...	...	...	...	...	...	...
53	Do.	...	Kundal	...	1	1	...	...	...	...	...	...	...	...	...	...
54	Do.	...	Danewala	...	...	...	...	1	1	...	...	...	...	...	...	...
55	Do.	...	Jhurar	...	...	...	...	1	1	...	...	...	...	...	...	...
56	Do.	...	Abohar	...	...	...	...	1	1	...	1	...	...	...	1	...
57	Do.	...	Qabul Shah Khurbin	...	...	...	...	1	...	1	...	...	...	...	...	...
58	Do.	...	Lambi	...	...	...	...	...	...	...	1	1	...	...	...	...
59	Do.	...	Khunan	...	...	...	...	...	...	...	2	...	2	...	...	...
60	Do.	...	Gobindgarh	...	...	...	...	...	...	...	1	...	...	...	1	...
61	Do.	...	Rampura	...	...	...	...	...	...	...	1	...	1	...	1	...
62	Do.	...	Jandwala	...	...	...	...	...	...	...	1	...	...	...	1	...
63	Do.	...	Bhatinda Railway Station	...	...	...	...	...	...	...	1	1	...	...	...	...
			Total	...	99	39	9	20	13	7	43	18	10	20		

NUMBER OF EXCISE SUB-INSPECTORS IN THE FEROZEPORE DISTRICT.

2679. Sardar Tara Singh: Will the Government please give the number of Excise Sub-Inspectors actually employed in the Ferozepore district in each of the last three years, *viz.*, 1923, 1924 and 1925.

The Honourable Sardar Jogendra Singh: The Excise Sub-Inspectors employed in this district were: 7 in 1923, 10 in 1924 and 14 in 1925.

LIQUOR SHOPS IN THE FEROZEPORE DISTRICT.

2680. Sardar Tara Singh: (*a*) Will the Government please give the total number of liquor shops in the Ferozepore district that were licensed and auctioned both in 1925 as well as in 1926?

(*b*) If the number of shops described in part (*a*) has increased this year, will the Government please state whether it is due to the demand of the residents of the villages in which these shops have been located or to any other reasons? If the latter, what are they?

The Honourable Sardar Jogendra Singh: (*a*) Country liquor shops:—

		Put up for auction.	*Shops sold.*
Year 1925	...	45	42
„ 1926	...	65	64

(*b*) The additional shops have been located in the areas where illicit distillation is rife.

LIQUOR SHOP AT KATHAN.

2681. Sardar Tara Singh: (*a*) Is the Government aware that a liquor shop has recently been auctioned to be located at Kathan, in sub-tahsil Nathana, district Ferozepore?

(*b*) Will the Government please state whether it has received any protests from the residents of the said village against the opening of such shop?

(*c*) If the answer to part (*b*) is in the affirmative, does the Government propose to cancel the license and close this shop? If not, why not?

The Honourable Sardar Jogendra Singh: (*a*) No such place as Kathan exists in the Nathana Sub-Tahsil, presumably Kalyan Sukha is intended.

(*b*) A protest was received by the Deputy Commissioner, Ferozepore.

(*c*) No. In view of the fact that the consumption of alcohol is almost universal in the Bahia and that illicit distillation is very common he did not consider that the protest was *bonâ fide*.

LIQUOR SHOPS FOR VILLAGES DANEWALA AND GHAL KALAN.

2682. Sardar Tara Singh: (*a*) Will the Government please state whether new liquor shops have been licensed this year for villages Danewala in Fazilka tahsil and Ghal Kalan in Moga tahsil of the Ferozepore district?

(*b*) Will the Government please state if it has received any memorials from the inhabitants of both these villages complaining against the opening of these shops?

(*c*) If the answer to part (*b*) be in the affirmative, will the Government consider the advisability of closing these shops?

(*d*) If the answer to part (*b*) be in the negative, does the Government propose to enquire into the wishes of the residents of these villages and close these shops if they so desire?

The Honourable Sardar Jogendra Singh: (*a*) Shop is being opened at Danewala in Fazilka Tahsil, but not at Ghal Kalan in Moga Tahsil.

(*b*) No.

(*c*) Does not arise.

(*d*) An enquiry will be made.

Sardar Tara Singh: With reference to the answer to part (*b*), will the Government please state whether the Deputy Commissioner received any memorial from the inhabitants of the village of Danewala to remove this shop from this village?

The Honourable Sardar Jogendra Singh: No.

Sardar Tara Singh: Will the Government please enquire into the matter and cancel the license if the people so desire?

The Honourable Sardar Jogendra Singh: I require notice of the question.

LIQUOR SHOPS AT SAMALSAR AND RODA.

2683. Sardar Tara Singh: (*a*) Will the Government please state if it is a fact that liquor shops have been licensed for and located at Samalsar and Roda in Moga tahsil, district Ferozepore, this year?

(*b*) Will the Government please state the distance between the two villages mentioned in part (*a*)?

(*c*) Will the Government please state the number of cases of illicit liquor in both these villages detected during the last five years?

(*d*) Will the Government please state the reasons why licenses were issued for opening the shops in these two villages?

The Honourable Sardar Jogendra Singh: (*a*) Liquor shop has been licensed for Samalsar and not for Roda in Moga Tahsil.

(*b*) Distance between the two villages is three miles.

(*c*) No cases of illicitly distilled liquor were detected in these two villages during the last five years.

(*d*) Answer is the same as to question No. 2680,* part (*b*).

ATTENDANCE OF VILLAGE CHAUKIDARS AT THANAS.

2684. Sardar Tara Singh: (*a*) Will the Government please state if there is any rule requiring a village chaukidar to attend the thana (Police Station) for purpose of securing the entries by Police officers in the registers of births and deaths entrusted to these chaukidars?

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*Page 384 *ante*.

[Sardar Tara Singh]

(b) Is the Government aware that the chaukidars are on such occasions detained in the thanas for a few days to do private work of the Police officers?

(c) Will the Government please state if it will consider the desirability of substituting for the practice described in part (a) the practice of attestation of these registers by the village patwaris?

The Honourable Sir John Maynard: (a) Yes, there is such a rule.

(b) No, Police officers have no authority to detain chaukidars at Police Stations to do their private work, and if such a practice exists, it is entirely irregular.

(c) This proposal is under consideration.

CHAKBANDI AND WARABANDI.

2685. Sardar Tara Singh: (a) Is it a fact that the Executive Engineers of the Province have prepared and completed Chakbandi and Warabandi lists but the same have not yet been announced to the zamindars?

(b) Is the Government aware that this non-announcement has resulted in serious cases of riot and affray?

(c) Is it the intention of the Government to announce these lists to the zamindars and supply one copy to them through their *Mir-Ab* and another to the Magistrate of the ilaqa? If so, will the Government please arrange to have this done without delay?

The Honourable Mian Sir Fazl-i-Husain: (a) Warabandis are always prepared at the request of the zamindars and announced to them as a matter of course. Chakbandis are prepared when irrigation starts in a village and subsequent changes, if any, are also communicated to the men concerned.

(b) In view of the reply to (a) this does not arise.

(c) Announcements are made to zamindars through the patwaris as a matter of course. Also, copies of lists are supplied to zamindars whenever they ask for them. Copies are supplied to the Magistrate concerned also, if so desired by him.

FODDER FAMINE.

2686. Rana Firoz-ud-din Khan: (a) Is the Government aware that owing to the failure of last two harvests great scarcity of fodder prevails throughout the province especially in the districts where there is no canal irrigation?

(b) If so, does the Government propose to take immediate steps to relieve the hard-pressed zamindars by arranging for transport of fodder on reduced railway freight and adopting other suitable measures?

The Honourable Mian Sir Fazl-i-Husain: (a) Government is aware that fodder is scarce.

(b) Arrangements have already been made for the carriage of fodder by rail at concession rates to the Attock, Jullundur and Ludhiana districts. No other district has yet asked for similar concessions. An allotment of

Rs. 60,000 has been made to the Deputy Commissioner, Attock, for distribution as taccavi grants for the purchase of fodder. It is understood that an application for a grant to the Deputy Commissioner of Gurgaon has been made. It has not yet been received, but when received it will be dealt with generously.

MUHAMMADAN STUDENTS IN THE PRINCE OF WALES ROYAL INDIAN MILITARY COLLEGE, DEHRA DUN.

2687. Chaudhri Afzal Haq: (*a*) Is it a fact that the number of Muhammadan students who have been sent up during the current year for military training in the Prince of Wales Royal Indian Military College, Dehra Dun, by the Government of the Punjab is one-fourth of the number of non-Muslim students so sent up?

(*b*) If so, will the Government be pleased to say what steps they propose to take to increase the number of Muhammadans for training in this institution?

The Honourable Sir John Maynard: (*a*) No.

(*b*) Does not arise.

ELECTION OF ZAILDARS AND SUFEDPOSHES.

2688. Chaudhri Afzal Haq: With reference to the views expressed by all the parties of the Council on the resolution regarding the election of zaildars and sufedposhes, will the Government be pleased to say whether they are considering the advisability of inviting suggestions from district officers in the matter of the introduction of the principle of election for recruitment of zaildars and sufedposhes?

The Honourable Mian Sir Fazl-i-Husain: No.

PROVINCIALISATION OF SCHOOLS IN THE JULLUNDUR DIVISION.

2689. Chaudhri Afzal Haq: (*a*) Will the Government please state how many schools have been provincialised in the Jullundur division since the appointment of the present Inspector of Schools of the said division?

(*b*) Will the Government please state according to community the names of headmasters that are in charge of such schools?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (*a*) Eight.

(*b*) The requisite information is noted below:—

Names of Schools.					*Names of Headmasters.*
Government High School,			Rahon	...	M. Mohammad Jan.
,,	,,	,,	Fazilka	..	L. Sundar Das, Bhatia.
,,	,,	,,	Jagraon	...	Bh. Bhag Singh.
,,	,,	,,	Phillaur	...	L. Mohan Lal.
,,	,,	,,	Tanda	...	L. Karm Chand.
,,	,,	,,	Patto Hira Singh		Bh. Balraj Singh.
,,	,,	,,	Gujjarwal	...	Bh. Narinjan Singh.
,,	,,	,,	Hamirpur	...	L. Dev Raj, Bhalla.

DISTRICT AND MUNICIPAL BOARD HIGH SCHOOLS IN THE JULLUNDUR DIVISION.

2690. Chaudhri Afzal Haq: (a) Will the Government please state how many district and municipal board high schools have been recognised in the Jullundur division since the appointment of the present Inspector of Schools?

(b) Is it a fact that except in the case of the District Board High School, Nakodar, all the headmasters put in charge of such schools are non-Muslims?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) 14.

(b) No, there are three Muhammadan headmasters in the above schools.

COMMUNAL REPRESENTATION IN THE STAFF OF THE GOVERNMENT HIGH SCHOOL, FAZILKA.

2691. Chaudhri Afzal Haq: (a) Is it fact that since 1918 when the present Government High School, Fazilka, was provincialised the headmastership of the said school has been held by one gentleman who is a Hindu?

(b) Is it a fact that excepting the second master (whose appointment in this school came into effect from July 1925), the headmaster, the third master, the fourth master, the Science master and so on are all non-Muslims?

(c) Is it a fact that even the Persian teacher who was a Muslim has lately been replaced by one who is a Hindu?

(d) Is it a fact that the Muslim population of the Fazilka tahsil as compared with that of other communities stands as follows:—

Muslims 123,694; Hindus 127,487; and Sikhs 39,019.

(e) Is it a fact that the strength of the Muslim students on the roll of the Fazilka Government High School is now hardly more than one-sixth of the entire strength?

(f) Is it a fact that a number of petitions have been made by the zamindars of the tahsil to the Director of Public Instruction complaining against the conduct of the present Inspector of Schools in not giving adequate representation to Muslim element on the staff of the said school?

(g) Will the Government please state why it has delayed taking proper action and not remedied the evils mentioned in these petitions?

Does the Government propose to replace the present headmaster and at least two senior teachers by a Muslim staff?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) The school was provincialised with effect from 1st April 1921, since then the headmaster has been a Hindu.

(b) No.
(c) Yes.
(d) Yes.
(e) Yes.
(f) No.
(g) (i) Does not arise.

(ii) Government will consider whether any changes are desirable and possible.

ACQUISITION OF PROPERTY BY GOVERNMENT SERVANTS.

2692. Chaudhri Afzal Haq: (*a*) Is it a fact that Government keeps a record of property newly acquired by the public servants?

(*b*) Is it a fact that there is a large number of public servants who have acquired valuable property during the tenure of their service?

(*c*) Is it also a fact that a large number of public servants acquire property soon after they retire from service?

(*d*) If so, will the Government be pleased to say:

(*i*) the number of public servants who acquired property and from whom Government asked for an explanation as to the source of their income from which they acquired the property;

(*ii*) whether any public servant did not give a satisfactory explanation, and

(*iii*) the action, if any, the Government took against those who did not offer satisfactory explanation?

The Honourable Sir John Maynard: (*a*) Acquisitions of immovable property by Government servants are reported to Government and noted in the personal files of the officers concerned.

(*b*) Such acquisitions are not common.

(*c*) Acquisitions made after retirement are not reported.

(*d*) Does not arise.

CONFINEMENT OF INNOCENT PERSONS IN THE REFORMATORY SETTLEMENT OF THE PUNJAB.

2693. Chaudhri Afzal Haq: (*a*) Is it a fact that in the Reformatory Settlement of the Punjab, there are at present confined many men who have never been guilty themselves of any offence against the established law of the land?

(*b*) If so, has the Government considered the desirability of releasing those men or those among them who have served out a minimum sentence forthwith with a warning that if they are subsequently found guilty of any offence against law, they will be dealt with severely?

(*c*) Will the Government be pleased to state the number of those men who are not guilty of any offence and yet are confined in the Reformatory Settlement?

The Honourable Mian Sir Fazl-i-Husain: (*a*) and (*c*) Of 492 men at present restricted in the Reformatory Criminal Tribes Settlement in Amritsar 449 have previous convictions. Of the rest 11 are youths living with their parents and 32 are men who, though found to be addicted to crime, have so far escaped actual conviction.

(*b*) Releases from the Reformatory Settlement are made under Rule 28-A of the rules framed under Section 20 of the Criminal Tribes Act. Sixteen were released during the last year and the release of 16 more is now under consideration.

COMMUNAL REPRESENTATION IN THE PUNJAB EDUCATION DEPARTMENT.

2694. Khan Bahadur Sir Sayad Mehdi Shah : (*a*) Will the Government please state the number of appointments held at present in each of the various grades of the Punjab Education Department by the Hindus, Muslims, Sikhs and the Christian communities respectively ?

(*b*) What was their respective ratio in each grade in the year 1921 and at the end of 1925 ?

(*c*) In view of the undertaking given by the Government in 1921, will the Government please state the action it has taken or intends to take to adjust the claims of the various communities ?

(*d*) Does the Government propose to consider the advisability of appointing a special committee to consider the various aspects of the solution of this problem ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*a*) and (*b*) The honourable member is referred to the general answer given to Council questions Nos. 1961—1975.*

(*c*) Encouragement is given to all communities.

(*d*) No.

COTTAGE INDUSTRIES.

2695. Rai Sahib Lala Ganga Ram : (*i*) Will the Government kindly state what practical steps it has so far taken for the encouragement of cottage industries in the province ?

(*ii*) Will the Government kindly lay a statement on the table showing—

(*a*) the annual requirements of the various departments under the Punjab Government for such goods as can be supplied from the Punjab, like textiles, leather goods and hardwares ;

(*b*) the extent to which these requirements of the various departments are met (1) from the Punjab, and (2) from other provinces or foreign countries ?

(*iii*) Is the Government aware that the United Provinces Government has established a Provincial Stores Purchase Department under the Department of Industries for giving a direct aid to the cottage industries If so, does the Government contemplate any similar action in this province ? If not, why not ?

The Honourable Sardar Jogendra Singh : (*i*) The honourable member is referred to the annual reports of the Co-operative Societies, and Industries Departments which will be found in the Council Library.

(*ii*) Government is not prepared to undertake the compilation of a statement, of the magnitude suggested in the question, of all the minute requirements of all its departments.

(*iii*) Government is aware that a Provincial Stores Purchase Department exists in the United Provinces, and has under consideration the question whether the creation of such a department would serve a useful purpose in the Punjab.

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* Vol. VIII-B., pages 1167—1181 and Appendix VIII, page cxli.

CHARGES FOR EXCAVATING KHAL.

2696. Chaudhri Afzal Haq: (*i*) Will the Government be pleased to state if it is a fact —

(*a*) that they have since 1918 been charging 8 annas per acre from zamindars of the Upper Chenab Canal for the purpose of excavating Khal; and

(*b*) that a saving is shown by the canal department after excavating work has been completed?

(*ii*) If so, will the Government be pleased to state—

(*a*) what is the saving under the head Khal Khudai; and

(*b*) how Government proposes to use the money so saved?

The Honourable Mian Sir Fazl-i-Husain:

(*a*) Yes, for watercourses and watercourse culverts, etc.

(*b*) No, the work for which the acreage rate is levied is not yet complete.

(*ii*) Does not arise.

KHAL KHUDAI TAX.

2697. Chaudhri Afzal Haq: (*a*) Is it a fact that Khal Khudai tax was not charged on the zamindars of the Upper Chenab Canal at the time of the rabi crop of the year 1924-25?

(*b*) Is it a fact that this tax was again charged at the time of the kharif crop of the year 1925?

(*c*) If so, will the Government be pleased to state the reason for doing so?

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

BEGGAR PROBLEM.

2698. Chaudhri Afzal Haq: (*a*) With reference to the following portion of the Home Member's speech in the Legislative Assembly while speaking on behalf of the Government:

> "that sturdy beggar is a problem and he hoped the House will support him in endeavouring to bring him to book. The whole problem is one that falls within the sphere of Local Government."

Will the Government be pleased to state whether in order to put a stop to beggary they are considering the desirability of opening poor houses for the maimed and the weak and opening Reformatory Schools for able-bodied beggars?

(*b*) If not, what other steps do they propose to take in this respect?

The Honourable Sir John Maynard: (*a*) Local bodies, though primarily responsible, have not found themselves able to deal satisfactorily with this question so far, and Government is not, on financial grounds, itself prepared to take the measures suggested.

(*b*) None. The question is one which falls within the competence of Municipal Committees under section 52 (*d*) of the Punjab Municipal Act, 1911. Begging can also, in certain circumstances, be dealt with as an offence under section 151 of the same Act or under the security sections of the Criminal Procedure Code.

Chaudhri Afzal Haq: In view of the fact that there is a surplus in our budget will the Government please state whether they are going to take action now?

The Honourable Sir John Maynard: The answer to the question is contained in my answer to part (*b*) of the question, and that is, that no steps are proposed to be taken.

Chaudhri Afzal Haq: It was on financial grounds that Government declined to take steps.

Mr. President: Order, order. Supplementary questions should not assume the shape of cross-examination (Hear, hear).

UNEMPLOYMENT.

2699. Chaudhri Afzal Haq: With reference to the debate in the Legislative Assembly on the resolution concerning unemployment in the country, will the Government be pleased to state whether they are going to appoint a committee of this Council with non-official majority to enquire into the extent, causes and remedies of unemployment amongst the educated and uneducated classes in this province?

The Honourable Sir John Maynard. The Government is favourable to the proposal and will appoint such a committee.

GENERAL DISCUSSION OF THE BUDGET.

Mr. President: The Council will now resume the general discussion on the budget. Mir Maqbool Mahmood.

Mr. Miles Irving: Sir, the honourable member Chaudhri Ram Singh was interrupted yesterday in the course of his remarks owing to the adjournment of the House and so he can be asked to continue his speech.

Mr. President: The honourable member Chaudhri Ram Singh has no right to be again put in possession of the House to-day. He cannot be allowed to make his speech twice.

Mir Maqbool Mahmood [Amritsar, (Muhammadan) Rural]: Sir, as the mover of the Money Lenders Bill I have been described by a certain section of the Punjab Press as a very bitter critic of the *bania* as such it should be particularly welcome to the biggest *bania* of the Punjab, the Honourable the Finance Member, when I rise to congratulate him on the budget which he has presented to the House. The Honourable Mr. Miles Irving, Sir, is equally entitled to the gratitude of the House for the lucid memorandum which he has presented on the budget. His memorandum makes the stale figures of the budget read like fiction (Laughter) and but for this it would be impossible for a layman like myself to explore through the dull volume that is presented to us on the budget. The budget, Sir, and the memorandum show some happy features of the financial position of the province. To begin with, they state that up to the year 1924-25, we have actually reduced our expenditure by a crore of rupees while actually increasing the expenditure on the beneficent departments by 21 lakhs. That indeed is a matter on which any Government might very well feel proud. Equally welcome, Sir, is the announcement made by the Honourable the Finance Member in his speech that the Government is in sympathy with the unani-

mous demand of the Council that in future, applications of funds should be more on beneficent departments than on the avoidance of debt. In this connection I welcome the addition of 34 lakhs towards the beneficient departments proposed in the new year. For all these matters, the Government is entitled to the best appreciation of the country and the tax-payer.

But I am sorely disappointed to find that the Honourable the Finance Member has made no announcement of a substantial remission of taxation. This is the fourth year in succession that we have had a large surplus. We started in 1923-24 with a surplus of 42 lakhs, in 1924-25, we had a surplus of a crore and 16 lakhs, in 1925-26 the actual surplus is 96 lakhs, in which I include the amount of 20 lakhs reserved for special insurance against drought, and in 1926-27 we budget on the same reckoning for a surplus of 34 lakhs which totals up to two crores and 88 lakhs of surplus in the course of four years. These surpluses, I submit, are a double injury to the tax-payers of this province. To begin with, in the peculiar circumstances of the Punjab, they mean only one of two things: they mean either that the Government is taxing the people of the province by that amount more than is actually needed for the budgetary equilibrium or they may mean that the Government has failed to spend that part of the available amount on the moral and material progress of the country. Judged from any point of view, Sir, the very existence of this surplus is, a wrong to the tax-payer and it is more so when we consider that the greater part of our revenues—more than 70 per cent. as I have calculated comes from the poor agriculturist whose average annual income is even below the expenses of feeding and clothing of a Punjab prisoner.

This is one injury which the existence of this surplus inflicts on the tax-payer. There is yet another injury also and here I am reminded of a statement by Mr. Gokhale in the Imperial Legislative Council where he remarked I am quoting him :—

> "That a succession of surpluses is apt to demoralise even the most conscientious Government by the temptation it offers for indulging in extravagant expenditure".

That is true of all countries and more so of a country like India because the administering of our public expenditure is not carried on with that sense of responsibility to the tax-payer that prevails in the West. This is supported by a reference to the figures of the budgets from 1924-25 onwards. In these three years of surpluses, we find we have actually increased our expenditure by a crore and 66 lakhs, and if out of that we take the expenditure which has been incurred because of the increase in the beneficient departments, which of course is very desirable in itself, we have still an increase in the other items of expenditure to the extent of no less than 80 lakhs. And when we consider that in three deficit years we reduced our expenditure by a crore and in three surplus years we increased the same expenditure—leaving aside the beneficient departments—by 80 lakhs, I submit that it is the second injury which the existence of these surpluses inflicts on the tax-payer.

Mr. Miles Irving : 78 lakhs for civil works.

Mir Maqbool Mahmood : My honourable friend the Finance Secretary reminds me that part of the expenditure was incurred in respect of Civil Works, but I made myself clear to him when I said that expenditure was expenditure whether it was incurred on civil works or non-civil works or on

[Mir Maqbool Mahmood.]

any other item. Call it by whatever name you like whether recurring or non-recurring the fact remains that extra expenditure to the extent of 80 lakhs was incurred.

Moreover, Sir, these surpluses were not anticipated at the time when we budgetted for the years in which they figure. As a matter of fact, invariably in these three years of surpluses, we budgetted for deficits but we were actually left with surpluses. That was due primarily to the unfortunate under-budgetting of the revenues and over-budgetting of the expenditure. I have calculated the figures for this over-budgetting the expenditure and under-budgetting the revenues and I find that in 1923-24, the revenue defect was 25 lakhs, while the over-budgetting of expenditure was 85 lakhs which makes a total of 110 lakhs. In 1924-25, the revenue defect was 48 lakhs and the over-budgetting of expenditure was 98 lakhs which makes the total of a crore and 46 lakhs, in 1925-26, we have a revenue defect of 39 lakhs and the over-budgetting of expenditure to the extent of 42 lakhs thus showing a total of 81 lakhs. The existence of some defects in budget forecasts is more or less natural and explicable. But the fact that these defects were always so large and always against the tax-payer tempts one to discount the accuracy of treasury forecasts.

These inaccurate forecasts were mainly responsible for the atmosphere of financial embarrassment which it created in the province. Not only that these inaccurate forecasts even misled our alert and able Finance Member to convey to this House the threatening spectacle of a normal recurring deficit of 126 lakhs excluding all provisions for new expenditure or for interest on productive debt. In this atmosphere of supposed financial embarrassment, fresh taxation was heaped on the heads of the poor tax-payers of the province to meet deficits where none actually existed and where in fact we were actually left with large surpluses. The actual figures have shown that these forecasts which were the basis of new taxes were wrong and inaccurate, and with due deference to the Honourable the Finance Member, I tried to show from the analysis of past budgets in my budget speech last year that his calculation of deficit of 123 lakhs recurring and normal was not more correct than the forecasts on which it was based. In fact, I have taken pains to go through his side of the question and I find that we were actually worsened because of the post war changes by no more than 1,80 lakhs. Out of that, a natural increase in our revenue with retrenchment made up for one crore and fifty lakhs and the new taxation in the form of court fees and land revenue in 1922-24 gave us another 31 lakhs, so that in 1924-25 we had no actual deficit to meet and no taxation whatsoever was needed. And so even if you ignore altogether the amounts which we have actually secured by new taxes under abiana, stamps and the motor vehicles, still we would have been left with a surplus and a very substantial surplus too. Under these circumstances it is perfectly clear that it is only the new taxation that is responsible for the swelling of the surplus and as such cannot be much welcome. Therefore, standing on the floor of this House on behalf of the taxpayers of this province, I feel it my duty to remined the Government respectfully but emphatically of that sound economic proposition that obligation to remit taxation in years of assured surpluses goes with the right to demand taxation in years of financial embarrassment. And I hope it will be possible for the Honourable the Finance Member to induce the Government ere long to come forward with a substantial remission of taxation.

There is yet another feature of the budget which calls for serious consideration, I mean the application of 27 lakhs of revenue surplus to productive capital expenditure and the reservation of all our extra ordinary revenues more or less or the same head. I am not contending here that from the theoretical point of view of the principles of finance, it may or may not be justifiable. But I emphatically hold that considered from the point of view of the tax-payers of the Punjab, this application of revenue surplus to productive capital expenditure and the major portion of extraordinary revenues for productive capital expenditure is very unjust. And in saying so I am almost tempted to ask the Honourable the Finance Member to tell us what he would think of a man whose wife and children are lying seriously ill and underfed but he, without caring for their benefit, gets hold of whatever he can and invests it in profitable investments. I leave it to the Honourable the Finance Member to decide whether he could defend the man who does like that. I know there are precedents of many European countries where revenue surpluses are actually spent on the avoidance of debt as I explained in my debate on Debt Service Grant last year. But there is a special reason for it. Their unproductive debt is very high and they have to provide for meeting it by every available surplus. That is not the case with us. Our unproductive debt is not more than 57 lakhs and even there we provide for a sinking fund of 2 lakhs. In fact during last five years we have actually scraped off a crore of our unproductive debts. In view of that I submit there is no hurry for us to rush through the payment of unproductive debt at the expense of beneficent departments. Respectfully but emphatically I would suggest that for all productive purposes, Government should in the first instance, borrow funds, and they should charge the revenues with interest and sinking fund. Half of the extraordinary revenues may also be credited towards productive expenditure and the other half, I would suggest, should go to a new account to be opened hereafter and to be called the Compulsory Education Account. I would suggest that at least half of our extraordinary revenue should go to that account and hereafter necessary funds should also be secured from the rising revenues. Revenue and Irrigations which are expected up to 1929-30 to give us more than a crore a year in view of our new colonies. If this suggestion is accepted, it will be possible for the Honourable Finance Member to declare as his parting gift to the Punjab the prospect of free compulsory education within five years. The new remission of 28 lakhs in our provincial contribution may also be earmarked for this purpose.

The Honourable the Finance Member has always prided himself, and rightly, on being a *bania*, though he is one who keeps a regular account and gives a square deal to his customers. So I have no quarrel with him. And I think no formal argument will be needed to convince him that in a matter where figures show that he owes an announcement to this House he should make it. You may remember, Sir, that last year I raised a discussion on a cut of Rs. 100 on the debt services wherein I objected to the application of 39 lakhs of revenue surplus to capital productive expenditure. The whole House supported it and therein in the course of the debate Government announced that they will give 12 lakhs, later raised to 15 lakhs, out of that surplus for beneficent purposes, and while making that declaration the Finance Member remarked that he could not give more than 15 lakhs out of the 39 lakhs because he said :—

> "It is only an anticipated item because we cannot say at present that all our expectations with regard to revenue and expenditure will be realised, and we do not therefore think it safe to go beyond the 12 lakhs which has already been mentioned.

[Mir Maqbool Mahmood.]

Now, Sir, we find that expected surplus of 39 lakhs has turned out to be an actual surplus of 1,16 lakhs. I submit that it does not need any argument for me to appeal to the Finance Member that if he and Government could come out to give us 15 lakhs for beneficent purposes out of 39 lakhs, expected they should give us at least 50 lakhs more for beneficent purposes out of 1,16 lakhs. And I would suggest particularly to earmark it for a purpose which calls for our supreme attention and which threatens to be a great embarrassment both to the people of the Punjab and Government—I refer to the growing educated unemployment in the country. It is notorious that the market value of our graduates has fallen very low. In fact a grass cutter can earn more than a graduate of the Punjab University. This deplorable state of affairs cannot and should not be allowed to go on, and we should deal with it with a bold beginning of some sort of industrial organisation. I would, therefore, appeal that this sum of 50 lakhs should be placed in the hands of our new Agriculture Minister, whom I take this opportunity of publicly welcoming. In his hands, I am sure we will get the maximum benefit out of this fund for the solution of this problem, and that as soon as he gets the money he will get up a constructive programme for the Industrial Development of the Punjab with the help of a special committee constituted to deal with the problem of educated unemployment.

But while I move, Sir, for this fund for beneficent purposes, I am reminded of the unfortunate trick which the angels have played with us again this year. Last year, you may remember, Sir, I said that the angels are proverbially jealous, but they never treated us more shabbily than to have conspired that our Ministers should not spend even the meagre grants, that they got for the beneficent departments. This year, too, more than 11 lakhs have been surrendered under the beneficent departments. I hope that no one standing here in this House in future will find it to be his painful duty to invite the attention of our Ministers to this fact which I am sure they deplore as much as we on this side of the House.

In the course of his Budget speech, the Honourable Finance Member also remarked when discussing the question of capital expenditure and capital revenue, that he has invested a sum of money with the Government of India for eight months, and rightly prided over that aspect of his duties as a *bania*, but I am afraid in that very paragraph he exposed himself to be a *kutcha bania*. The rate of interest that he was getting there seems to be frightfully low, lower than what he could have got from any reasonable co-operative or industrial bank of the province. Let it not be understood, Sir, that in a provincial and parochial spirit I object to the Punjab Government going to the help of the Government of India. Far from it. In any emergency, I would be the first to move my province to share its responsibility in bearing the burdens of the Government of India because it is a common nationality of which we all feel proud. But in normal years when the Government of India is having surpluses, I submit that it is up to us to make the best of our funds and that the sums available for six or eight months should be placed at a higher rate of interest with some industrial or commercial or co-operative banks on short term loans and the interest on that should be devoted to one aspect of public utility so far ignored. I mean the poverty relief in this province. It is time that we should do something towards the organisation of poverty relief in the Punjab.

The majority of the Punjabis are cultivators who live on agriculture. Their condition continues to be deplorable, their annual income is between Rs. 40 and 60 while the expenditure on feeding and clothing a prisoner is Rs. 92 per annum. I repeat, what I have urged twice before, the necessity of some bold scheme for improving the condition of the agriculturists of the Punjab. I repeat for instance the necessity of some bold scheme on the lines of the composition of debts schemes which have been tried in Ireland and Germany. I suggest also the reclamation of waste lands, which has added so much to the prosperity of the peasant in Belgium, and I also suggest another possibility and another duty of Government to look after the interests of the cultivators of the Punjab while granting lands in the Nili Bar colony. I find, Sir, that since the Government colonial policy began which was started in 1882 with the object of encouraging peasant proprietors in the Punjab, the number of tenants has actually increased from 44 per cent. to 51 per cent. I reserve my remarks on this subject for the budget discussion, but I submit that unless Government arrests this tendency in time, we will be driving out of the country our peasant proprietors, and absentee landlordism with all the economic, social and other disasters which it entails, will come. And I hope that in the hands of our new Revenue Member who needs no appreciation from this side of the House because it might be considered that it is almost the magic of his wand which is moving these words—the interests of the agriculturists and of the Punjab as a whole are safe and I am sure that in granting lands he will reserve a major portion of them for peasant grantees.

The Punjab, Sir, pays directly or indirectly over 40 per cent. of its revenues on the maintenance of law and order. I agree that the maintenance of law and order is the primary function of every civilised Government and as such deserves the support of all law abiding citizens, but I submit that now that luckily by the statesmanship of the Governor of the Punjab and also of our Sikh friends the Akali problem is nearing settlement, it should not be difficult for Government to consider some ways of retrenchment on that side of expenditure. I admit that expenditure under that head is conditioned by policy and it may be suggested that the attitude of certain political parties forebodes trouble, but, Sir, true statesmanship can and should avert that by expediting the Royal Commission on Reforms.

One word more and I have done. This may be, I do not say it will be, this may be the last budget of the Honourable the Finance Member, but I would not be positive in my statement (laughter). Fortune places before him to-day a rare opportunity of being able to declare the remission of new taxation of the Punjab before he leaves us, it also places an opportunity for him to declare compulsory education in five years and I hope he will not let go this opportunity and that he will equip Punjab to contribute a healthier share towards a common culture in the evolution of humanity.

Khan Bahadur Nawab Muzaffar Khan (Director, Information Bureau Punjab) (Urdu):—Sir, a mention was made yesterday in this House of the much reviled Police. But, Sir, according to the Persian saying عیبش چو گفتی هنرش نیز بگو if you have pointed out the faults of a man it is only fair that you should also point out his virtues. Last evening, a telegram was received from Attock that a big dacoity took place at Hasan Abdal (Punja Sahib) on the night between the 3rd and 4th of March in which about 18 Afridis of the transborder ilaqa armed with ·303 rifles attacked the house of a Sahukar. The police under the able command of Pir Sajwal Shah, Sub-Inspector

[K. B. Nawab Muzaffar Khan.]

arrived in time and a regular fight began. The police fought bravely against the dacoits and succeeded in killing four of the dacoits and wounding and arresting another. On our side a brave policeman gave up his life fighting for his King and Country. A chaukidar was also killed. Now, Sir, so often the police are charged with cowardice and of evading such conflicts. But in this case you will admit that there was nothing of the sort. The Superintendent of Police and the energetic Deputy Commissonier also arrived early in the morning and it is only due to the brave action of the police that there is peace in the town. While on this subject, Sir, I must acknowledge the great assistance received by the police from the people of the town both Hindus and Muhammadans. Those who had licenses came with their guns and though the police and the people had only shot guns and sporting rifles, they were successfully able to kill and arrest five of the dacoits.

Again, Sir, mention was also made of bribery and corruption among the officials of the various departments. I am in perfect agreement with a large part of the remarks made by some honourable members about this. But there is one thing which I must mention and that is about the duty of the public, in checking this evil practice. There is no social pressure exerted by the public on the police or other officials who are corrupt. You know what a great fuss was created over a Prime Minister of Great Britain accepting a motor car from a friend. But here we find that the public not only does not take action against such officers as are corrupt but actually countenances, in a way, such immoral acts by honouring such officers. It is really a matter of shame that there are dishonest officers amongst us, but it is a matter of still greater shame that the public does not object socially to such things. We mix with such officers and do often feel it an honour to do so. It very often happens that these very corrupt officers get more parties, as a mark of their popularity (Laughter). I, therefore, submit that the honourable members of this House who being the representatives of the people have so much influence with the people and also the members of the Bar can do much to root out this evil. They should not respect such men. My honourable friend Chaudhri Duli Chand said that the police have more opportunities, and that these opportunities should be reduced. Sir, it is the power of an official that gives him the opportunites. You cannot curtail these powers in the case of police. It will interfere with the performance of their duties. One who is so inclined does manage to create opportunites. We know the story of a man under the kings of old who was corrupt and took bribes. The king transferred him from one place to another. He tried him in different department but to no purpose. At last the king who did not wish to part with him consulted his wazirs and posted him to the sea shore to count the waves thinking that he would get no chance of taking bribes. But there is no end to a man's ingenuity. Ships used to sail from that place and he stopped those ships from sailing. Now, Sir, the owners of the ship had to anchor for a number of days and suffer much loss. They thought why not tip the man and sail on the high seas. This they did and the man got much more than he ever could have done in his old place of authority. So, Sir, an evil mind can succeed in getting such chances everywhere. It rests with the public to stop it. We should develop our own character and exert moral pressure on them? That is only how we can stop this evil practice. With these words I beg to resume my seat. (Cheers from the treasury benches).

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural] : Sir, I should have liked to follow my friend the honourable member for Amritsar. Rural. He has described himself as the author of the Money Lenders' Bill and the critic of the *bania*. I, Sir, have the good fortune to be described by my honourable friends, the supporters of the Bill as the representative of the Shylocks (Voices : No, no), being the opponent of the Money Lenders' Bill. When the Honourable the Finance Member and the Finance Secretary are congratulated by two such persons as my friend on the opposite and myself they can take this as their great consolation that two different sections of the House agree in congratulating them on the good budget they have presented and they can say that all is well with their budget.

I do not intend to go into the facts and figures and criticise the different items of which the budget is composed. I shall, like a Brahman, devote my attention mainly to the subject of education, and my remarks shall, therefore, apply to the department over which the Honourable Minister for Education and my honourable friend the Director of Public Instruction preside. It is a matter of sincere congratulation and deep thankfulness that education has increased by strides during the last year Just as last year, so also this year I wish to offer my thanks and congratulations to the Director of Public Instruction. I am glad to find that the new Minister will have by his side a gentleman of great experience and new ideas to help him in the development of education in the Punjab. I note with great satisfaction that during the last four years there has been a considerable increase in the number of pupils ; 362,000 pupils have been added during the last four years. Similarly, it is a matter of great thankfulness that the Education Department has been favourably treated by the Finance Department. But I wish at this stage to refer to that one great evil which is prevalent here in the Punjab, the evil of unemployment of the educated. (Hear, hear). The honourable member for Amritsar has already alluded to that subject, and if I can at this stage throw any suggestion I would like to say this that instead of having different arts colleges in different centres, it is the duty of Government to devote its attention to having some vocational and technical colleges. Unless there is some sort of educational centre for the development of these faculties, that is to say, for instruction in any vocational training or technical education, it is impossible for this problem of unemployment of the educated to be solved. I, Sir, like my friend from Amritsar believe that universal compulsory education is the prime necessity of the time and that in spite of the rapid strides the education has made in the Punjab we must put into force an Act which should make it compulsory for all young boys and girls to be educated up to the 7th or 8th standard. I do not believe that education up to the 4th or 6th standard will be of any avail. Therefore, Sir, with your permission I wish to give expression to this feeling which is prevalent in the minds of all people in the Punjab. Undoubtedly there are difficulties in the way of introducing compulsory primary education up to the 7th or 8th standard, but I cannot believe that with the intellect Sir George Anderson possesses and the resources which the Government should be prepared to place at his disposal they will be unable to solve this problem.

One other subject which has been referred to by various speakers was the question of reduction of taxation. I entirely endorse their remarks that the time has come when the Government should make up its mind to reduce taxation in the different departments. I was listening to the eloquence of yesterday in this House, but I unfortunately found that while one speaker

[Pandit Nanak Chand.]

made a suggestion for the reduction of taxation in one department another speaker at once got up and said that there should be no reduction in that department but there should be reduction in another department. Unfortunately the Punjab Council has been cut up into various sections and various communal parties. Therefore what I said last year I wish to repeat again, that the Council has not been able to confront the real problem and has not grappled with the difficulties which face us every day. It has been an unfortunate feature of this province that there has been great communal tension and communal strife, not only has there been communal tension and communal strife but there has been the division of members into agriculturists and non-agriculturists. As if these were not enough there is a further division between the urban and rural section of the people. Now, Sir, a person who looks forward and who wishes to see the Punjab prosperous and happy, who wishes to see swaraj established in this province, will at once exclaim that the goal of swaraj is not yet to be reached, and that before swaraj or self-government, Government of the people by the people and for the people can be reached, there are certain great difficulties which have to be confronted and with which we have to grapple and for which a solution must be found. Sir, I do not wish to throw the blame on any particular section of this House for not trying to grapple with these difficulties. I may say emphatically that all sections of the House are responsible for not trying to solve this communal problem. First of all I think it is the duty of Government to take in hand this matter. So far, knowingly or unknowingly Government has been a party not to smooth the troubles but to increase them. In the school when a student has to join, the first thing which he has to state there is his own name, then that of his father, then his religion, then his caste or his tribe and so on. Now, from the very beginning a boy is instilled in his mind that he is either a Hindu, Brahmin or Bania or a Gujar, or Jat or Kayastha and so on. Not only this, but when a person joins Government service he has to make a statement as to whether he is a Hindu and if a Hindu whether he is a Brahmin and if a Brahmin whether agriculturist or not and so on. I looked at the list prepared by the Electoral Commissioner and there while according to law there are only three parties, the Sikhs, the Muslims and the non Muslims I find that even there the caste of the different people is given. During the last election, Sir, ...

Khan Bahadur Nawab Muzaffar Khan : That is simply for identification purposes.

Pandit Nanak Chand : I am coming to that. Now, Sir, while on my last election campaign, I found that the candidate did not go to a voter for his vote because he had a certain political programme on which he wished to work in the Council, but claimed the vote because he was a Jat or a Gujar or belonged to some other tribe. I may here state and Chaudhri Afzal Haq will bear me out that even among the Muhammadans there were four candidates, one Pathan, one Gujar and two Rajputs. The Pathans voted for the Pathan candidate, the Gujars voted for the Gujar candidate and the Rajputs voted for the Rajput candidate. Thus were the votes divided between the four candidates.

That I submit, Sir, was made possible because in these electoral rolls the castes of the voters were given. Had these castes not been given, the people would have gone and claimed that they were going to put forward such and such a programme in the Council and the members would have been elected

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on the *merits* of their election programme. Therefore, I wish to say to the Government that in the electoral rolls which are to be prepared now, they should do away with this distinction of caste. In the same way, we find that while giving appointments to the people in the public services, Government even before the Reforms often made distinction between Hindus, Muhammadans and Sikhs. I seriously ask all those who have the good of the Punjab at heart whether such a state of affairs is going to lead us towards the evolution of a common nationality. If people are to be given services on the ground of their religion or on the ground of their caste, can you possibly think that there is any chance for a common nationality to be evolved in the Punjab? It may be said that the minority communities are to be protected or that the majority communities must have their due share of representation. But we have to look to the history of other countries for our guidance and there you will find how these minority or the majority communities are represented. To all the offices of the State, it is the educational fitness, efficiency and merit that is the passport. The examinations are open and competitive and I therefore submit that if the Government is really anxious to help us in hastening the day of *Swaraj* and if they are really anxious to evolve a common nationality, then they should co-operate with the people in this matter and they should openly and publicly declare that the posts under Government would be open only to merit and efficiency and to nothing else. I do not for a moment say that in all cases educational qualifications should be the sole test There might be other tests, if necessary, but the people should be made clearly to understand that they should fulfil certain tests and it is only by passing those tests that the services would be open to them. I submit, Sir, that that should be the contribution of the Government towards the solution of this vexed question. I do not blame the Government only. There are a large number of politicians who go about preaching the gospel of *Swaraj* and the gospal of nationality. In their anxiety to have *Swaraj* within a year or two, they make compacts wherein they recognise the principles of communal representation. No doubt they take a leaf out of the book of Government, but as leaders who are responsible for the future of the Punjab, as people who are fighting for the evolution of a common nationality, they should see at once that there should be no question of communal representation either in local bodies or in legislative councils.

Shaikh Muhammad Sadiq: The honourable member has come into the council because of communal representation.

Pandit Nanak Chand: Sir, I may in this connection refer to the Lucknow Pact wherein this principle of communal representation was recognised.

Mir Maqbool Mahmood: On a point of order, may I ask what the electorates and the Lucknow Pact have to do with the general discussion on the budget? Does '*general*' implies generality ranging over the whole world or does '*general*' mean only '*general*' with reference to the budget?

Pandit Nanak Chand: My honourable friend does not evidently know that there is a provision for expenses of Council members and I have every right to say that only those members who are in favour of abolition of communal representation should be returned to the Council. I think that these politicians who, in order to settle this vexed question accept the principle of communal representation really do not know what they are doing. Such a state of things could never bring *Swaraj* to the Punjab

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or to India at large. This is merely the beginning of the trouble. The communal poison has not yet been instilled in the minds of millions who have to claim votes one day. To-day, you are dealing with a very small and a very limited problem and if this communal representation goes on for any length of time and if men like my honourable friend Mir Maqbool Mahmood or myself have to go to the voters and say to them: "I will defend the rights of Muhammadans" or "I will defend the rights of Hindus," can you possibly think of a time when a common nationality will be evolved? Can you possibly think that people who are now living as brothers and friends will not turn into enemies, opposed not only to one another in one particular matter, but in almost everything. Therefore I ask those politicians or those who go to the Councils on the ticket that they are in favour of *Swaraj* being granted at once to revise their political ideas.

My honourable friend from Karnal was talking of corruption and various other matters from which the zamindars of this province suffer. Unfortunately my honourable friend has left the house to-day. I wanted to tell him that this corruption was bound to increase when he asks for communal representation or tribal representation in the various services and in the Legislative Council and in the local bodies. For if men are to be recruited on communal basis, you at once destroy efficiency, you at once bring in favouritism, you at once give protection to the man who belongs to your own community and you try to shut your eyes to all his weaknesses. When such people are caught, you at once say: "no doubt he is guilty, but let us forgive him this time." If you choose your man not on the ground of communalism, nor on the ground of tribalism, if you choose your man merely on the question of fitness, then you shall be doing away with the source of corruption.

I want to refer to one other trouble which is yet nascent and which is beginning and which in course of time, if this communal representation goes on, is going to throttle the administration of the Punjab, that is the communal bias in the administration of justice. I find, Sir, as a lawyer, men coming to me and telling me definitely that cases are being decided against them because a particular judge was full of communal bias. Sir, it is a matter for the Government and for the politicians to take note of. If they want purity of administration, if they want, justice between man and man, they should be the first people to decry this evil of communal representation which is raising its head everywhere.

I have also heard certain politicians telling me that they admit that so far as the Hindu, Muhammadan and the Sikh trouble is concerned, there should be no division on communal lines, but that there should be division of agriculturists *versus* non-agriculturists, the definition of the agriculturist being that given in the Land Alienation Act. Now, Sir, people who talk like this do not know what the definition of an agriculturist is in the Land Alienation Act. I wish to enlighten those honourable members who are always talking of the Land Alienation Act, and that the agriculturists should be given posts in the service according to that Act. I wish to say that they do not know what they are talking. The Land Alienation Act defines an agriculturist as a member of a particular tribe which has been notified as such for a particular district. That is not sufficient to define him as an agriculturist. You have to do something further, that is you have to show

that the agriculturist either holds land or resides in that district. Supposing a gentleman from the tribe of my honourable friend the member for Karnal were to apply for a post in the Shahpur district, can he possibly say that he should be given that post because he is a member of an agricultural tribe? An agriculturist from Karnal is an agriculturist only for the Karnal district. If he holds lands or if he resides in the Shahpur district, then only can he be described as an agriculturist for the Shahpur district. Do you ask the Government that this division by districts should be made in the giving of public services and in the appointment made by Government? I ask, are these appointments to be made by districts? To talk without knowing things is merely to make confusion worse confounded. You can never make the Land Alienation Act or the definition of an agriculturist given therein as the basis for the giving of appointments to different communities. These people are in favour of Land Alienation Act. I am also in favour of Land Alienation Act in some form. I may tell the House that those people who talk of the present Land Alienation Act as the Magna Charta of their rights do not know one thing further. Now the Government is going to open up large canals in four or five districts of the western Punjab. Is it possible for an agriculturist of the Hoshiarpur district to purchase lands in these districts where the canals will be opened up? Is it possible for a man of the Jullundur district or the Kangra district to purchase lands in these new colonies? Under the Land Alienation Act, they cannot purchase unless they show two things, firstly that the purchaser's tribe is notified as an agriculturist tribe in the particular district and secondly he himself holds lands or resides in that particular district. Does it not mean that you are depriving a large number of agriculturists from the benefits of canal irrigation?

The Honourable Sir John Maynard: May I explain, Sir? The honourable member is entirely wrong about this. In this particular case, it is the Government that is the seller, there is nothing to prevent a non-agricultural tribe from purchasing from Government.

Pandit Nanak Chand: I am very glad that the Honourable Finance Member has made clear one point. But I was not referring to this. So far as the Crown lands are concerned, they can be sold to an agriculturist or a non-agriculturist alike. There is no distinction so far as agriculturist and non-agriculturists are concerned so far as the purchasing of Crown lands from the Government is concerned. What I am driving at is that there are people in these tracts and who purchase lands at very favourable rates, namely, at rupee one per acre. The other day I came across a tahsildar who purchased 60,000 acres at one rupee per acre, that is the whole land was purchased for Rs. 60,000. When the Thal Canal comes in, that man will be a millionaire. It is impossible for a poor zamindar of the Hoshiarpur district to go to these districts to purchase lands by private treaty or engagement from private individuals because of the Land Alienation Act; because the zamindars of the Hoshiarpur district do not hold land or reside in those districts. Therefore I submit that an agriculturist, if he is to be given the benefit of the Land Alienation Act should be an agriculturist throughout the length and breadth of the Punjab. There is absolutely no reason why a large number of people who are really agriculturists should not be given the benefit of this Act. I am just referring to one particular tribe, the Seni tribe or the Mehtam tribe in my constituency of Hoshiarpur. These two tribes are not declared to be agricultural tribes in the District of Hissar. Is there any earthly reason why the Seni living on

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agriculture in the Hissar district or the Mehtam living in the Hissar district should not be declared an agriculturist while his brother who lives in the Hoshiarpur district should be declared an agriculturist tribe.

Now, Sir, these are the difficulties. When you ask Government to make appointments in public services, on the basis of the Land Alienation Act, you are not thinking of really solving the problem which is confronting us, but you are merely adding to the difficulty which is already there, and if Government issues *communiqués* and notifications saying that landlords or agriculturists of a certain kind will be given land and will be given preference I say Government is guilty of adding to the confusion which already exists.

There is one other party line which is sought to be created in this Council Chamber and it is the party of rural people as opposed to urban people. We have been always told that the interests of rural people are something quite different from the interests of urban people. I am very glad, Sir, that the highest authority in the land has publicly declared that there is absolutely no conflict between the interests of the rural and the urban classes, and from the floor of this House on behalf of people of the Punjab, I wish to thank His Excellency the Governor for having once for all made it quite clear that there cannot be and there should not be any division on urban and rural lines. The two are interdependent. If you destroy the prosperity of one, you destroy the prosperity of the other. If you add to the prosperity of one you add to the prosperity of the other. Yet there are members who are always talking of urban interests and rural interests. Today the people in rural areas do not sympathise with such ideas. But these are the ideas, Sir, which some members want to inculcate amongst the rural classes. The rurals know their interests best and irrespective of any caste or creed have on various occasions given their vote to the men whom they think to be the fittest and best, but if these ideas are to go out from the Council Chamber and people are to be inflamed by ideas like these which should not find any expression in this House, I say there would be great trouble which Government and the people will have to confront. Work for self-government or work for *Swaraj*, that is *swaraj* of the people, for the people and by the people. My advice to them is that they should try to remove the difficulties of the situation and not add to them. I am one of those who believe that we have gained much from the British Government. For the first time in the history of India the whole country has been brought under one common Government. A common law prevails everywhere and people are growing conscious of national ideas. If some Government members influenced by the old policy of divide and rule or of balancing one community against another try to add to the difficulties of the politician or statesmen, I say to them that they are not discharging the task which lies on their heads and shoulders, and that they are proving false to the best traditions which are inculcated by English public service and English public life. English men in India are at this time in a very responsible position. To them has been entrusted the task of welding into one these different people into one nationality. It is undoubtedly a tremendously great and noble task and it should be their duty to guide these people in such a manner that there should be no clash of interest, that there should be no communal trouble, that there should be no friction, and that there should be no clas

difference, and when they go back after having served this Province of ours, let them feel that they have done great and noble work in the Punjab. The difficulties of evolving a nation out of the various people who live in this land of ours is very great, and it is their duty, I submit, not to make the task more difficult but on the other hand to remove the difficulties. The opportunity is there and if by inculcating communal or tribal ideas or by passing laws which frustrate this work they are merely adding to the difficulties, I am afraid they are not helping in the solution of the problem.

Now, Sir, speaking from this House I wish to say this that I want to see a common fellowship of people of various castes and tribes united in the selfless service and not looking to Government posts merely as their reward but looking to the service of the people in a selfless manner as the best reward which they should aim at.

Mr. Miles Irving (Finance Secretary) : Mr. President, the stars in their courses have fought in favour of the optimists, and the favourable conditions of the monsoon season have put us in the fortunate condition of a surplus. They might have failed, and a very little change in the clouds gathered in the Indian Ocean, a little difference in the Meteorological conditions of this Province might have turned our surplus into a deficit. For my part I never grudge being wrong under these unhappy conditions and I congratulate this House and this Province that my calculations have been so happily frustrated as they have been in the previous years. What interests me more in the scientific study of this art—you may call it what you like but it is hardly a science—as to what extent these miscalculations can be avoided, to what extent they are the inevitable results of human ignorance. The Indian budget is described by a famous Viceroy as a gamble on the monsoon and with the Reforms this particular form of speculation has been transferred to Provincial Governments.

Sayad Muhammad Husain in congratulating himself on the correctness of his forecasts is entitled to credit for Irrigation receipts being better than were expected. But he is not entitled to credit for the surprising rise in stamps or the equally unexpected rise in Excise. We must admit that while to a great extent these matters are beyond our predictions and yet at the same time our calculations can be improved. There is no doubt that the standard at which we work is a very high one. I wonder how many business firms hope to prophesy their outturn at 5 per cent., and how many individuals can forecast their expenditure for the coming year within 5 per cent. I never have been quite successful yet, though my mistake has not been to over-budget expenditure. And yet if we have an error of 5 per cent. we are wrong 50 lakhs on expenditure and 50 lakhs on revenue. In England where they have an experience of years, they expect to work something like to 1½ per cent. or 2 per cent. That seems to be wonderful. We do to a certain extent require a change of heart on the part of departments. In the Public Accounts Committee last year we had a long discussion as to the principles on which the English budgets were based and it was decided to break entirely with the tradition, which has obtained certain currency in this Council that the budget was a kind of contract "thheka". It was recognised that the departmental head's business is to budget as closely as he can to the actual expenditure to be expected, and that you can no more blame him because towards the end of the year

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he has to come for supplementary grants than became it is found that he has over-estimated his requirements. He has, in fact, to aim at the centre of the mark. An indignant head of department wrote to me the other day that he could not be responsible for collecting the revenue anticipated. Of course, that is besides the question. No one asked him to be responsible. We wanted to know whose guess was correct, his or mine. I accepted his, but not for the reason given.

Now in this particular question of over-budgetting, of course, much must depend upon the way in which the beneficent departments prepare their estimates. Even so, there may be still over-budgetting. The tendency is always inevitable to allow a little margin on the right side. For this purpose we are beginning to follow the example of the Government of India of making what may be called brutal or blind cuts from the total. As far as possible detail by detail and head by head one tries to get the best estimate possible. If the members will go through the budget in detail they will find almost everywhere where there is an establishment savings, and especially under Police establishment we anticipate a saving of 1½ lakhs out of the total sanctioned establishment. When all that has been said and done, even so our past experience shows that we may miss and when members will look at the budget for civil works they will find, I believe, a brutal cut of 12 lakhs out of the whole estimate. That means that the Finance Department wagers that the Chief Engineer will be unable to spend his grant by that amount. If he does spend it, so much the better for him. He will triumph and can get the supplementary grant. If not, we shall be right.

This is the fourth budget I have had the honour of preparing and in some respects I am seeing with delight where the budget goes wrong. I believe that in the able hands of my successor this House will find a very marked advance made. I believe we shall be able to get very near to what the Treasury at Home with their one hundred years of experience is able to attain.

It is only left for me to make some remarks on the general financial situation. We have heard two sets of suggestions, one for the reduction of taxation and the other for the spending of more money. To a certain extent these cancel each other. At the same time it must of course be admitted that the question is in debate. At any rate when I prepared this budget I had not the slightest inkling that we would get 28 lakhs from the Government of India. Still I prophesied prosperity. I should therefore be stultifying myself if I denied that if the House prefers that these 28 lakhs should be thrown away it can do so. At the same time I ask this Council to think twice before it decides. The question of reduction of taxation or increase of expenditure is one that is enormously dependent on circumstances. I would ask whether the people into whose pocket the money will go if the tax is reduced will be able to make use of the money profitably. I am not sure whether the people at the particular stage of development of the peasantry of the Punjab at present, can make better use of the remission of taxation. I believe the Government can spend it more profitably for them. I was looking at some statistics of what the Agricultural Department has done for increasing absolutely the wealth of the province. I was amazed to find that in a single year the extra value of the crops raised by means of the Agricultural Department was 3 crores. The Agricultural Department costs only 30 lakhs a year. So you get for the province 3 crores for over 30 lakhs

that you spend. I therefore say that if we spend the surplus instead of reducing the taxation, we can actually give the peasantry more in the shape of improved crops, improved facilities for taking their crops to the market, not to speak of the indirect advantages of education, than we can give them by a small reduction in taxation which each individual will feel very lightly.

Another point the House must consider when reducing taxation is, whose taxation it is reducing. We had an emphatic appeal from Sayad Muhammad Husain to reduce abiana on the agriculturists of Muzaffargarh and the slum dwellers of Lahore, neither of whom pay water rate to any very appreciable extent. There may be people, who may require taxation reduced. But I am by no means sure that they are the fortunate people to whom Government supplies water. With these remarks I leave the question very much as it was. The matter is for debate, but I think that the opinions of the members of this House will have great weight. I would ask the House to hesitate before it sacrifices the prospects of this wonderful Punjab developing in a way which we are hardly bold enough to foresee. (Cheers).

Sir George Anderson (Director of Public Instruction) : Sir, I have reason to believe that the Honourable the Education Minister will take part in this debate at a later stage, and therefore I had not intended to take part in this debate myself. But I cannot resist the opportunity of making a very few remarks in regard to two or three matters which have been brought up for discussion. In the first place, I must thank my honourable friend opposite, the non-Muslim member for Hoshiarpur (Pandit Nanak Chand), for the kind remarks which he had made about the Education Department. But I shall not imitate him in prefacing my remarks by the statement that I shall confine myself almost entirely to education, and than proceed to discuss at length communal representation, agriculturists and many other matters.

Pandit Nanak Chand : That is political education.

Sir George Anderson : I want in the first place to refer to a remark made by my friend, the Muslim member for Amritsar (Mir Maqbool Mahmood). He deplored the fact that the beneficent departments have been compelled to surrender a considerable portion of their grants. It is true that the Education Department has surrendered some two or three lakhs, during the current year. But I would remind my friend that as charity begins at home, so should the spending of the budget allotments also begin at home. In other words the failure of the Education Department to spend up to its full allotment has been due to the fact that the district boards and local bodies have been unable to do so. (Hear, hear.) Therefore I hope that my friend who is, I believe, a member of a district board and the other members of this Council who are also members of district boards will do their best in the future to spend up to their full allotments and thus save the unfortunate, and in this case, the innocent Director of Public Instruction from being hauled over the coals because he is unable to spend the allotted amount and consequently has to surrender some of his allotments. I am glad that my friend also referred to the urgent necessity of compulsory education. I am entirely in agreement with him in his enthusiasm for compulsory education, and I myself believe that it is the only effective solution of the problem of vernacular education. But still, as my friend opposite has observed, we are not moving at all slowly. If we take into account the provisional figures for the present year, we shall have increased the number of pupils during the last five years by about 500,000. If we continue that rate of progress, then within three or four years we shall have on the rolls of the schools as many as 75 per cent. of the boys who should be at school.

[Sir George Anderson.]

I shall now refer to a remark which was made yesterday by the Muslim member of Shahpur East. In a very persuasive speech on behalf of the Aitchison College, he stated that Government was spending as much as 3,62,000 rupees on the European School at Ghora Gali, but that only rupees 12,000 is given to the Aitchison College. If I do not explain this matter further, there may be serious misunderstanding in this regard My friend has looked at the budget and found that a sum of rupees 3,62,000 is placed against the European School at Ghora Ghali. But rupees 22,000 of that amount is for capital expenditure. That reduces the total to rupees 3,40,000, not a very large decrease as yet. Three lakhs and forty thousand rupees may seem to be a very large sum to be spent on a single school. But it so happens that this sum provides not merely for the teaching, but also for the clothing and feeding of all the pupils, who pay a consolidated fee covering food and clothing as well as tuition. These fees amount to rather more than 1½ lakhs. Therefore, the net expenditure on the Ghora Gali school comes to 90,000 rupees. But even that figure is again misleading because, as the Finance Member explained to this Council last year, we have amalgamated with the school at Ghora Gali the old Chelmsford training class for European teachers which used to be maintained at Sanawar. Towards the cost of this class the Government of India has contributed to the Punjab Government a capital grant of Rs. 2,37,000, of which Rs. 35,000 is recurring. Therefore, if we deduct the Rs. 35,000 from the Rs. 90,000 we arrive at the correct net expenditure on Ghora Gali School which is Rs. 55,000.

Malik Firoz Khan, Noon : We get only Rs. 12,000 for the Aitchison College.

Sir George Anderson : In the next place, I listened with great delight to the speech of the late Education Minister who sits on the cross benches. In the course of his remarks, he referred to the very urgent need for improving the physical development and the health of pupils in our schools. I am entirely with him in his opinion that it is urgently necessary that we should do all that we can to improve the health of our pupils. Some years ago there was started a system of medical inspection. The medical inspectors visited certain schools and examined the pupils. They then proceeded to compile long, gloomy and disappointing reports, in which a very serious state of affairs was brought to light. The medical Inspectors, therefore, were by no means the bearers of good tidings, but very much the reverse. Unfortunately, their efforts were confined to the compilation of statistics, and the medical examination of pupils was not followed up by medical treatment. The Education Minister, the Honourable Mian Sir Fazl-i-Husain, took a very great interest in this problem, and there were long discussions between Sir Fazl-i-Husain, the Inspector-General of Civil Hospitals, the Director of Public Health and myself. As a result of those deliberations, one of the last things that Sir Fazl-i-Husain did before he ceased to be the Education Minister was to pass orders on a new scheme of medical inspection which differs from the previous scheme in that it will be followed up by provision for medical treatment. But I feel that the mere system of medical examination even though followed up by the provision of medical treatment will not be entirely satisfactory unless the educational authorities and the teachers of every school regard the physical care and health of their pupils as one of their most important duties. We are trying to encourage them to do so; and in the Central Training College at Lahore all the teachers under training are instructed in matters of

health, and also in the manner in which medical examination and medical treatment should be carried out in particular I would refer to a very pleasing development, the institution of health clubs not merely in the Central Training College but also in all our training institutions. As I go about the schools, I notice with great pleasure that the young men who have been trained in this manner are starting health clubs in their schools, and that these clubs are already doing good work.

We have also been trying to do something to improve the physical development of our pupils and to provide them with means of healthy recreation. There used to be an institution called the divisional tournament, but we have abolished it and started in its stead what we call the play-for-all movement which is a very considerable improvement upon the old time tournaments. Whereas in the time of the tournaments, the very slender games fund was spent almost entirely in feeding up a few gladiators to perform feats of valour in the tournaments, now the whole of that fund is spent upon the recreation and the physical development of all the pupils, whether they are experts or not in athletic exercises. I went the other day to Ambala where I saw as many as 600 or 700 boys all taking exercise at the same time. What was even more pleasing was that they were playing not merely the English games, such as cricket, football, hockey and so forth, but they were also playing Indian games such as kabadi.

There is another pleasing development, the food-for-all movement, which again had its genesis in the Ambala division. I was touring about that division the other day, and I found that wholesome and well-cooked food can be provided for the pupils on every working day of the month for the very reasonable figure of six to eight annas a month. I shall therefore conclude my remarks by assuring my friend that Government is in entire agreement with him in feeling that we should do all that we can to promote the physical development and the better health of the pupils in our schools.

Mr. President : As His Excellency the Governor was pleased to allot two days for general discussion this year, I did not deem it necessary to prescribe a time limit for speeches and I do not propose to do so even now but I find that a good many honourable members wish to take part in the general discussion, I would, therefore, ask the speakers to be as brief as possible.

Professor Ruchi Ram Sahni (Punjab University) : Sir, two years ago in the very first budget discussion in which I took part, I ventured to characterise the operations of budget making as resembling those of a housewife that over-budgets the expenditure and under-estimates the income, and then, when the year is out and there is a fat surplus, she turns round and claims with unmerited self-complacency that her stewardship has been so excellent that she should have more of jewellery, more of fine clothes and so on and so forth. The experience of the past two years has shown that this general remark, which was based not on the experience of budget making of Legislative Councils, but on the experience of the conduct of human beings in general, that this surmise and forecast was perfectly true and accurate. But there is one thing for which I was not prepared and that is that the great bulk of the surplus would be appropriated by the housewife herself and that the other members of the family would be allowed to go on subsisting on mere living wages. I do not want to go into the history of the fat increases that were allowed under the Lee Commission

[Prof. Ruchi Ram Sahni.]

recommendations. I will only submit that the time has come when a greater portion of the surplus that has accrued now or that might accrue in the future should be devoted to the nation building departments. When I speak of nation building departments I do not merely have in my mind the mere carrying on of the dull routine work of these departments, but what I have really before my mind is a scheme, a comprehensive scheme by which a good leap forward may be taken, by which the province might be enabled to claim that it has utilised its vast resources; resources much vaster than those of any other province that I know of, that it has utilised these resources for the substantial good of the people at large. I shall be perfectly willing and even glad to forget the characterisation which I made, if in future the Honourable the Finance Member will carry out some of the suggestions which were made by other honourable members and those which I am going to place before the House to-day. The first and foremost is a comprehensive scheme for some kind of industrial education of the province. Let us begin with the village. I am not particularly anxious that we should start with a big technological college because that might possibly excite the envy of some rural members. I am quite content if the Honourable the Finance Member would allocate a large sum of money and even raise a large loan for the purpose, if need be. I shall be quite content if a comprehensive scheme of rural industrial education is taken in hand and carried through. This will require careful consideration, but the main outlines of it are perfectly obvious. I am sure that we all realise the force of the recommendations which were made as far back as 46 years ago by the Famine Commission of 1880 presided over by Mr. James Caird. They made two important recommendations, the one was the abolition of the civil service as a fixed service, and the other was the weaning of the rural population from purely agricultural occupations. The first may be left out altogether. The second was somewhat modified by a further suggestion that instead of weaning the agricultural population altogether from purely agricultural occupations, their earnings should be supplemented by some kind of occupational work which might bring them a little more money. The amount of the additional money which we should help them to earn, should be something like the amount that they pay in the shape of land revenue so that they might be able to pay their land revenue out of the surplus income which they would get from their industrial occupations. A scheme of that kind could easily be worked out. A large number of industrial and vocational occupations could be started, such as nib making, nail making, screw making, *gota* and *nawar* making, tape making—not necessarily red tape—and things of that kind. Even watch making will not be an impossible thing. Watch making has been carried on by ordinary people without a training in mechanics or with just a little training and without acquiring any very great mechanical skill. I am sure this can be carried on easily. I see smiles of incredulity on the faces of honourable members on the official benches.

The Honourable Sir John Maynard: No, not smiles but tears.

Professor Ruchi Ram Sahni: That being so, I would explain the matter a little bit fully. In Switzerland, watch making was started as a cottage industry on purely co-operative industrial lines. What is required is for the state to provide stores for small punching machines through the co-operative agency as also of the necessary metal sheets. The machines and the sheets are purchased by the members at fixed prices. All that is then necessary

is to punch out particular kind of wheels. The wheels, etc., are then sold at fixed prices to the co-operative stores which send them to a central factory and it is there that the more delicate parts of a watch are made and the whole thing is fitted up. The whole of Switzerland was taught watch making and has long been carrying on the various operations connected with watch making by simple processes of this kind. The country is covered over with cottages where watch making is carried on in the form of the cottage industry, each cottage specialising in punching one particular kind of wheel or lever and nothing more.

My second point, Sir, is with regard to Education. I am sorry that no attention whatsoever has been paid to the claims of the subordinate educational service which are urgent and important. I am very sorry, Sir, that the provincialisation of schools is going on in the same way as it was before causing supersession of teachers. The claims of the subordinate educational service are urgent in as much as novel principles of appointment have been laid down by the honourable the Director of Public Instruction, which take us back to the old "*ma bap*" system, in other words this means benevolent autocracy, if I am allowed to translate the Punjabi words. Here are the principles which have been laid down for the appointment of teachers and other members of the subordinate Education department.

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> "There are, however, other factors in this complex problem. Even an Education Department should not pay exaggerated attention to the degrees and qualifications which an officer has gained in his early manhood. On the other hand, an officer who, during his service, has wisely improved his academic qualifications in the light of practical experience should receive his meed of reward. Locality and environment are also factors worthy of consideration. Some posts require from their incumbents powers of physical endurance and of robust activity, while others demand a ripe experience and sound scholarship. The interests of the several communities are also important, for intimate contact and sympathy with the people concerned may well be of greater value than mere attainments. An earnest sense of duty, again, is more laudable than flashy superficiality . . . ."

Well, it is easy to ignore the claims of seniority altogether in the way in which it is sought to be done. But if the same principles were adopted in the matter of promotion in other departments affecting the European services I should like to see what would happen.

A word about the executive line of the Subordinate Education Department. One result of the policy adopted has been that communal bias has been shown. Here is an analysis of the appointments that have been made under this "ma bap" system. There are at present five Deputy Inspectors of schools altogether, of whom there is one Hindu, three Musalmans and one Christian. Then, there are twenty-nine District Inspectors, of whom seven are Hindus, sixteen Musalmans, five Sikhs and one Christian. That shows...

Sir George Anderson.: Will the honourable member give the figures of head masters?

Professor Ruchi Ram, Sahni: I have not got those figures here, but the Minister for Education can give them if he likes. I am not placing all the figures before this House. I should not have minded at all if all the posts had been given to one community, had it not created such a great amount of resentment and bitterness and poisoned and embittered the social life of the whole countryside, the whole population from one end of the Province to the other. It is necessary to stick to some principles and the soundest principle is the principle of seniority.

Again, Education as a subject of instruction for the degree examination is a question which has been engaging the attention of the Senate of the Panjab University for the last two years. They have sent up definite proposals for the acceptance of Government, but so far no reply has been received. The proposal was sent back for reconsideration by the Senate and again the Senate reaffirmed their original proposition and sent it on to Government for acceptance. Specially, when there is such a great dearth of trained teachers it should be made possible for colleges to give some kind of instruction if they so choose, in the subject of education as a vocation.

The next and last point, Sir, which I want to touch is the subject of Crown lands. Various proposals have been put forward here for the distribution of Crown lands and the settling of various kinds of people on them. I would submit, that the best course from the political point of view, from the national point of view and from the point of view of law and order, would be to take people from congested areas and put them into the areas which are sparsely occupied at present, taking care to distribute the lands on some kind of equitable basis, say according to the agricultural population of the different communities. By the agricultural population of a community, I mean those who are returned as being engaged in agriculture. We find that Hindus are returned as agriculturists as being 53 per cent. of their population. The Sikhs are returned as 75 per cent. as being engaged in agriculture, that is, 75 per cent. of their own population. The Musalmans are returned as 50 per cent. of their own numbers. But according to the definition given in the Land Alienation Act, the Hindus amount to 32 per cent., Sikhs 68 per cent. and the Musalmans 60 per cent. If you take the proportion of the population, which is returned as engaged actually in agricultural operations, and if people from congested areas are taken over there in those proportions and settled in the new lands, which will be made available, in some kind of reasonable proportion as suggested by me on fixed and easy terms, new colonies would soon spring up and flourish. At the same time, I would suggest that to reduce unemployment among educated persons, a separate colony of under-graduates may be planted. This colony may be called "Hailey Colony" in honour of our present Governor. A number of under-graduates belonging to different communities might be selected and put on the land on certain easy terms. The holdings might be consolidated later on. If Government wants some other conditions to be laid down they may be announced at once. New villages of an improved type would thus spring up under the guidance of some capable man who might be put in charge of the colony, I mean new villages on more sanitary lines and of an educationally advanced character which would serve as model villages. Here is a chance for Government to do something worth doing in that direction.

These are then some of the suggestions which I want to place before the Council. What is needed is not politicians but statesmen. I am sorry to say—and this thought has come to me again and again and I cannot conceal from myself because I feel it most strongly—that the present day official is unpopular simply because he looks only as far as the tip of his nose. He looks only to a little distance and wants to get over the present day difficulties, by adopting the methods of recruitment which we find adopted here in the case, say, of the Subordinate Educational Service or the Provincial Medical Service. The pledges of Government given to the medical men were thrown away. They were told plainly in 1917 that they would have a preferential claim on permanent vacancies, whenever those vacancies occurred. But those claims have been brushed aside and we find, if you will allow me, Sir, to read out this list.....

Mr. President: The honourable member has already spoken for 25 minutes.

Professor Ruchi Ram Sahni: Sir, if you will give me just five minutes more, I shall finish.

Mr. President: All right.

Professor Ruchi Ram Sahni: Here is a list of men who were given a definite promise of their preferential claims being taken into consideration when permanent vacancies occurred in the cadre of the provincial Medical Service :—

Year.	Hindus.		Sikhs.		Muslims.	
	Appointed.	Turned out.	Appointed.	Turned out.	Appointed.	Turned out.
1920	17	17	5	3	3	0
1919	14	14	5	2	1	0
1918	14	12	2	0	1	0
1917	7	4	7	1	1	0
1916	11	4	1	0	1	0
1915	18	1	1	0	3	0
1914	7	0	2	0	3	1
1913	2	0	3	0	0	0
1912	1	0	1	0	1	0
1911	1	0	0	0	0	0
Total ...	92	52	27	6	14	1

Such is the policy of communal discrimination which is poisoning the whole social and political life of the people. I appeal to Government members and Ministers to be statesmen rather than politicians, and to build up the administration on principles and not on lack of principles.

Subedar-Major Farman Ali Khan [Rawalpindi (Muhammadan) Rural] (Urdu): Sir, the budget which has been presented to the House is a detailed statement of the capital stock of the province and this money more or less comes from the pockets of poor zamindars who, I am sorry to say, do not receive a fair and just treatment at the hands of Government. It has been said that this budget is a surplus budget but that does not mean that poor zamindars are also well off. Sir, during these days of progress and advancement zamindars have become more destitute and helpless. The explanation is not far to seek. They live from hand to mouth, have scanty means of protecting themselves and besides this Government does not care to look after them properly. There are no adequate means for their education nor any medical help is provided for them, nevertheless, they are the people who fill up the coffers of Government. Sir, in ancient days zamindars used to pay one-tenth of their produce and were healthy and prosperous but now they have to pay one-third and in some places even one-half of their produce but do not enjoy the same privileges to which they were entitled in ancient times. In those times when land did not turn out good crops its *malia* (land-revenue) was remitted altogether but now the land-revenue is assessed on all kinds of crops and harvests irrespective of their nature and condition. Moreover the lands are deteriorated on account of lack of manure (khad). Under these circumstances people are prone to have recourse to unlawful means and naturally offences of a graver nature are committed. This is unavoidable because when a hungry wolf does not find its share it straightaway comes to the flock of sheep and snatches one or two ewes in spite of guard and vigilance. Similarly thieves and robbers, when they feel hungry, get inclined to perpetrate offences of theft and robbery. I would like to urge that Government should provide better means for zamindars to earn their living.

Now, Sir, in public services and other Government posts agriculturists have not received their legitimate share. It was promised that 66 per cent. posts will be allocated for them but that is not the case and the members of agricultural classes are wandering hither and thither for want of food and livelihood. Sir, if an agriculturist presents himself for a post his request is not acceded to under the plea that graduates are better qualified for Government posts. I admit that higher education is a good thing but there are some innate propensities peculiar to agriculturists which always stand them in good stead. I make bold to say that a matriculated zamindar is certainly better than a graduate of another class in some respects. At least he can prove a good disciplinarian Sir, if Government desires to have zamindar graduates it ought to have opened institutions for higher education in rural areas. At present even primary schools are not in sufficient number to meet the requirements of rural classes. All the colleges and schools are opened generally in big towns and cities and the children of urban people enjoy the benefits of higher education. Had grants-in-aid been given proportionately to zamindars and non-zamindars, zamindars would have availed themselves of these educational facilities. But it appears that Government does not take care of zamindars nor does it spend money on the needs and requirements of zamindars. This is deplorable. In all Government departments such as Education, Medical, Forests, Canal and Public Works the rights of zamindars have all along been overlooked. There ought to have been adequate representation of agriculturists in these departments because they are established more or less by the capital stock of poor zamindars. In fact zamindars are living in a very sad plight. Some steps must be taken to emeliorate their deplorable conditions.

Sir, there is another feature of rural life to which I would like to refer. In rural areas and in urban areas as well, the Sahukars or members of money-lending classes hold important and responsible positions under Government. Nearly all the Magistrates and Civil Judges belong to these classes. Poor zamindars have to deal with Sahukars all round and it is a matter of common knowledge that Sahukars are in the habit of squeezing the very blood of zamindars. It is the duty of the State to protect them and I think it is high time that Government should embark on a more effective policy for uplifting zamindars in the province. In the end, Sir, I once more beg to submit that Government should give proper consideration to the rights of zamindars and that adequate and effective representation in all various services under Government be given to them.

Mr. W. P. Sangster (Chief Engineer for Irrigation): Sir, I wish to refer to the statement which was made yesterday by one of the members opposite. He said that in a certain area, under a certain inundation canal no *kharaba* had been given and that full remissions of land revenue had been given. I am sorry the member is not present to hear the explanation. His statement is really quite wrong. Remission of *kharaba* was given on that particular area to the extent of no less than 65,000 rupees; and yet he said yesterday that no *kharaba* had been given. Sixty-five thousand rupees remission was given in spite of the fact that by the *kharaba* rules no crop can get full remission unless it is worse than a four-anna crop. The *kharaba* rules are quite different from the land revenue remission rules. It is easier to get remission under the land revenue remission rules than under the canal *kharaba* rules. As I have already said a crop must be worse than a four-anna crop before it can get full remission and it has to be worse than an eight-anna crop before a percentage remission can be obtained.

Another member yesterday referred to a certain area under the Jhelum Canal where there is water-logging. I should like to explain that point also. This area he referred to is about a mile long and a mile wide. This has only appeared in the last two years practically. It was actually foreseen as long ago as 1916 that the spring level in this particular area was such that there would be danger of water-logging. An estimate was prepared for a drain and it was sent up for sanction and put before the Drainage Board. The Drainage Board kept this estimate for years and years. It never got any money from the Council for the drain with the result that the estimate was never sanctioned and the drain was never started. Then the war intervened and after the war there was a great financial stringency. Now that the financial stringency is over, the drain has been started and the result will be that within the course of a certain number of months the drain will be dug and the water-logging will disappear.

Malik Firoz Khan Noon: How long will it be tried? Let us live in hopes.

Mr. W. P. Sangster: It depends on whether our budget is cut or not. Another honourable member opposite made a statement yesterday that he had been to no fewer than three Chief Engineers and not one of them would listen to him. I am sorry that that honourable member is absent to-day. The explanation is this: He wanted a particular inundation canal joined on to the Haveli project. He went to the Chief Engineer concerned and the Chief Engineer told him that it was not practicable to join his canal on to the Haveli project. He ought to have been satisfied with the

[Mr. W. P. Sangster.]

reply, but he was not satisfied and so he went to the second Chief Engineer. The second Chief Engineer said to him : 'I am sorry this is not within my jurisdiction. I cannot do anything for you.' He was not satisfied with this reply either and so he went to the third Chief Engineer and that happened to be myself. I was tempted to say also that it was not in my administration either but he would have been very much disheartened and so I took him into my office. I showed all the papers and plans to him and explained the whole matter pointing out how it would be economically impossible to tack on this canal to the Haveli project. I produced before him all the plans and reports and, showed him everything he wanted and I thought I had convinced him and satisfied him about the impracticability of his proposal. But to my surprise I found that he came to the Council yesterday and denounced the three Chief Engineers for not having listened to him. If every man who cannot get what he wants were to come to the Council and denounce the officers who will not do for him what is impossible, then it would be a sad state of affairs indeed.

Chaudhri Afzal Haq [Hoshiarpur-*cum*-Ludhiana, Rural] (Urdu) : Sir, I am not going to display what may be called a *bania spirit* by discussing the facts and figures described in the budget. I would rather like to see if those purposes are served for which this province expends 14 crores of rupees annually. We have to see whether the much talked of law and order is maintained in this country ? Sir the real position is that the more we spend the more we are disappointed. (*At this stage Mr. President left the chair and it was occupied by Sardar Tara Singh.*) We see every moment that the public peace is being threatened in one way or the other. In this connection I would specially refer to the Police Administration. The number of dacoities committed in the year 1924-25 as compared to those committed in 1918, is four times greater and the number of thefts has almost doubled. Although the number of crimes has considerably increased the Government is silent. But the expenditure side of the Police budget is daily becoming heavier with no prospects of better administration for future. Sir, when such is the real state of affairs no one can whether he be an official or a non-official member, look at it with satisfaction. Whatever is being suggested to Government by means of questions and speeches it pays very little heed to it. The Government has shut its eyes to glaring facts. The crimes have considerably increased, but no committee has been appointed to consider the whole situation thus created by this considerable increase both in the expenditure and in the number of crimes. When nothing has been done to improve this situation what is the use of presenting a prosperity budget ? To day my honourable friend, the Nawab Sahib, has referred to a dacoity committed in the house of a money-lender in the Attock district. The dacoits, as we are told, had firearms and the Sahukar had probably no knife even in his possession. It shows that the Government, by keeping the people unarmed, invites the dacoits and highwaymen to loot and plunder the countryside from one end to the other. On many occasions I have informed the Government and to-day again I inform it that the dacoits, before committing a dacoity in a certain village, always ascertain whether any one of the villagers has got arms and if there is one in possession of arms, they dare not commit dacoity. I have myself investigated two dacoities and I came to know that the first thing the dacoits did was to ascertain whether any person belonging to the village where they wanted to commit dacoity had arms. I know the Government has not cared a fig for this information who-

ever, I would ask the Government to consult their district officials and see whether the information tendered by me is correct or otherwise. Let the Government and the people learn a lesson from what the Nawab Sahib has said in connection with the dacoity committed in the Attock district. The dacoits were arrested simply because some of the villagers had got arms. Supposing a police station is away at a distance of six miles from a village where a dacoity is going to be committed and the villagers also have no arms, the question arises how can they possibly protect themselves? Sir, when this is the real position and there is no other way to put a stop to such serious offences as dacoities, I am at a loss to understand why the Government does not permit free use of arms to all population in general. Let the Government say anything it likes, let it call me an extremist but I cannot help saying that for all this excitement and mal-administration the Government is itself responsible. Had the Government permitted the free use of arms to all population in general the dacoits would not have dared to commit dacoities. I do admit that the dacoits are arrested and brought to book by the Government, but only after they have murdered many innocent persons and plundered many towns and villages. Sir it is high time now that the Government should carefully revise its arms policy and amend the provisions of the Arms Act, now in force. Sir, the police administration being the back-bone of all administration is daily losing its confidence and the crimes are increasing. The Government should take time by the forelock in order to effect a reform in the police administration. Let it consult its district officials and devise some suitable means to put a stop to dacoities and other serious offences. Sir, there is a very short time at my disposal and as such I would not be able to touch on all points. The next point I would like to touch on is the corruption prevailing in all Government Departments. Sir I would say the least and that is this that no form of Government can ever put up with so much corruption as is prevailing now-a-days in the administration of the country Last year when one rupee cut was moved in the total grant of the police, the Honourable the Finance Member remarked that the corrupt officials of the Government were our kith and kin. Sir, I, as a representative of the public, beg to submit that for this corruption, all responsibilities lie on the shoulders of the Government which pays its officers and which can take them to task and dismiss them. Our duty is to make complaints and bring all irregularities of Government officials to the notice of the Government. It has also been said that the officials who are corrupt are not condemned by the public. I admit that that is so. But does not the Government confer titles on such officials and recognise their services in one way or the other? The public opinion cannot force these officials to become honest because the people are at their mercy. Therefore for all this corruption the Government is responsible to the same extent as a soldier is responsible for the death of the person whom he shoots dead without any lawful reason. In the end, Sir, I would submit so long as the Government does not take on their shoulders the responsibility of reforming their administration there would be no end to the corruption and mal-administration now existing in the province.

Lala Bodh Raj [West Punjab Towns (Non-Muhammadan) Urban]: Sir, congratulations have been offered by the members of this House to the Honourable Member for Finance, the Financial Secretary and their Department. It appears that congratulations on such an occasion have become purely formal because congratulations in the same fashion were offered to

[Lala Bodh Raj.]

them when they presented a deficit budget in past years. The actuals of those years now show that the deficit which was shown in the budget was purely imaginary and the taxation that has been levied during the last three or four years to fill up that temporary and imaginary gap was unwarranted. Every member in this House has asked for a reduction of taxation and I also will join with them in the request to Government that it is now time when Government should consider the question of reducing the taxation which was only necessitated by the deficit which was shown in the budgets in the years 1922-23 and 1923-24. If Government is not prepared to withdraw such taxation, then there is no other alternative left for one but to conclude that Government in future would not inspire any confidence in the tax-payer outside. I would draw your attention to the Appropriation Report by the Accountant-General for the year 1923-24 in which the figures from the years 1921-22 to 1923-1924 have been given on page 34. Therein it has been clearly explained that there has been a saving in every year.

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

In paragraph 65 of the Report the Accountant-General says:—

> "the over-budgetting in the case of voted grants has been steadily increasing".

Further on he says :—

> "... that the tendency on the part of the heads of Department to over-budget the estimates of expenditure and to rush on the expenditure in the end of the year in the months of February and March, has been general and that in spite of the drastic cuts that have been made in accordance with the recommendations of the Provincial Retrenchment Committee and otherwise there is still room for reducing the expenditure and for economy.

On page 35 of the same Report under several heads of Departments it has been shown that the savings in expenditure have been ranging from 6 per cent to 35 per cent. and in one case it has gone up to 75 per cent. These questions were discussed by the Public Accounts Committee and the Accounts Committee laid down certain rules for the guidance of Finance Department in the preparation of the budget, but I am afraid that those rules have been overlooked in the preparation of this budget. I would draw your attention to paragraphs 28 to 32 of the Report of the Public Accounts Committee of the Punjab Legislative Council on the Audit and Appropriation Report for the year 1923-24. In paragraph 29 the Committee says :—

> "The Committee in the first place found itself confronted by a choice between two ideals of budgetting. According to one ideal the budget should be complete : that is to say, it should include all items of expenditure of which there is a reasonable probability, or even possibility, that they will come in course of payment during the year. According to the other, it should be certain, that it should contain no item for which administrative approval has not been obtained, and which will not therefore certainly come into course of payment if the money is voted."

A test case has been given in that paragraph to show and to give material to the committee to give a decision and the Committee after full deliberations decided that the item should not have been

included until the sanction of the Government of India had been received and generally adopted the view that the Budget should be certain rather than complete, and that new expenditure should not be included until it has received administrative approval and appeared in the schedules. In any case where (as possibly under Irrigation) the strict application of this rule would prove to be unnecessarily restrictive, the committee would like the question of increasing the reserves to be favourably considered.

When I refer to the Budget under the head Civil Works—New Expenditure, I find that more than 10 lakhs have been provided under several heads as lump sum for minor allotments and more than 7 lakhs have been provided for works which have not received the administrative approval, that is, which have not been approved so far by the Government and are awaiting administrative approval. A Financial Adviser has been attached to the Public Works Department, and in spite of the fact that he knows that these rules have been laid down, an amount of more than 7 lakhs has been included in the Budget which ought not to have been done.

Mr. Miles Irving : May I ask the honourable member whether he suggests that individual minor works should be specified ? Is he not aware that the Accounts Committee have no objection to minor works being lump-sum ?

Lala Bodh Raj : My objection is due to the fact that this Council is not in a position to know for which work that amount is to be spent. When we can provide a certain amount as the reserve fund and keep it at the disposal of the department to spend from it in case any thing unforeseen happens or the department feels the necessity for undergoing any expenditure on account of any minor work, there is left no necessity to provide any money as lump sum under several minor Heads. In the detailed budget a copy of which has been supplied to us by the Head of the Public Works Department, in the remarks column, I find that there are so many works against which the remark "administrative approval awaited" has been given. Sir, both the Finance Member and the Financial Secretary are members of the Public Accounts Committee, and they know full well what items are to be included in the budget and I do not see any reason why such expenditure should have been included in the budget at all and I will be glad to learn when the demand under Civil Works is moved for the sanction of the House that the Finance Member has cut down the expenditure under that Head by the amounts which ought not to have been included in it.

In paragraph 32 of the Report of Committee on Public Accounts it is stated :

> " . . . . while laying emphasis on the principles above enunciated, the Committee found itself bound at the same time to convey on behalf of the Council the assurance that when the Budget has been framed on these principles, full consideration will be given to supplementary demands for items which, on these principles, have rightly been excluded from it."

The heads of departments should have no apprehension that their supplementary demands will not be considered favourably. The experience of the last two years should be a sufficient guarantee to them that whenever supplementary demands are put before this House they are sanctioned without the least hesitation and in some cases even without any discussion.

[Lala Bodh Raj].

The other point to which I wish to draw your attention, Sir, is that the Finance Department should not rest content with the elaborate way of manipulating the figures, but they should also exercise an effective check on the heads of departments and see that they confine themselves within the sanctioned estimates or within the limits that have been fixed by this House and do not exceed those limits.

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I would draw your attention to one other point also. Such amount of diligence as ought to have been displayed by the Finance Department in the control of Finance has not been done. I would quote one instance here in support of my contention. In one case the amount of Rs. 733 and some annas was paid under some mistake of order of Government of India to a Government official and when the question came before the Public Accounts Committee as to whether the amount should be recovered from that officer or not, the Committee decided, taking into consideration all the facts that were placed before it, that the amount should be recovered from that officer. But I am sorry to find that the amount has not been recovered and its recovery has been waived. I believe I would not be guilty of breach of any confidence if I bring to the notice of the House the remarks that were made at the time by the Honourable Member for Finance. After all, it is an advice by the Committee to the Government. The Government may accept it or not. The apprehension of the Committee that the Government cares a fig for its advice has been found to be true. No value has been attached to the opinion of the Accounts Committee and the recovery of the amount of Rs. 733 has been waived by the Government. It does not matter that the amount to be recovered is a small one, but the question is one of principle and there is no reason or justification on the part of Government why this amount should have been waived.

Another financial irregularity to which I wish to draw your attention by way of illustration is in connection with the construction of the left Divide Groyne of the Islamia Weir, Sutlej Valley Project. The Engineer in charge instead of placing the full estimates before the Government and getting its sanction, prepared an estimate which was within his power to sanction. He submitted an estimate of less than a lakh of rupees which he could himself sanction and commenced the work. On the eve of departure on leave or otherwise he submitted another estimate of more than two lakhs of rupees. This financial irregularity was brought to the notice of the Public Accounts Committee.

Mr. President : Will the honourable member please bring his speech to a close as there are several other members who wish to speak.

Lala Bodh Raj : That financial irregularity was brought to the notice of Public Accounts Committee and I am sorry to note that the Committee did not take a serious view of the question and did not take any action against the official concerned. This is the way in which the finances of our province are dealt with. This is the control or the check exercised by the Finance Department or the heads of departments. I wish to point out and emphasise that in future it should be the duty of the Finance Department not to rest content with the compilation of figures alone, but to exercise an effective control over the heads of those departments. With these few remarks I resume my seat.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I wish just to take a very few minutes of the House to offer a few remarks in connection with three or four matters that have cropped up during this debate. It has been said that the land revenue prevailing in the Punjab is very high and that the Taxation Committee report is a God-send, and it is expected that in the light of that committee's report something will be done to improve the Land Revenue Bill that was introduced in this Council, and was a short while ago referred to a Select Committee. I want, Sir, the honourable members of this Council to read carefully the report of that Taxation Committee and not to be misled by a few head lines of the extracts appearing in the public press. The Taxation Committee have said that taxation as a whole should be maintained where it is. Where they say that the level of land revenue should be lowered they have also said that the level of irrigation rates should be increased considerably. Where they have said that the land revenue might be lowered they have also suggested that the local rate instead of being what it is, 12 pies in the rupee, should go up to 4 annas in the rupee. Therefore to the poor zamindar the report of the Taxation Committee gives no relief, because what is reduced in the shape of land revenue is only increased in the shape of local rate. Therefore when we are pressing the point as to land revenue we must also remember that it only means addition to local rate or to the abiana in some cases.

I am glad to note, Sir, that generally the land revenue administration is well received considering how unpleasant is the task of the department. It is for me, Sir, a great change to pass on from a spending portfolio to a collecting portfolio. I used to spend very nearly 2 crores of public money on the various departments with which I was concerned. Now, Sir, I collect something like 9 crores of rupees for the honourable colleagues on my left to spend. As the honourable members might have observed, 9 crores is by far the largest part of the provincial revenues which range between 11 and 12 crores. It is said by one honourable member that the water rate is at a very high level. "It is God's water and so it is our water. Why do you not give it to us? Why do you charge anything for water except such money as may be needed to pay a fair amount of interest on capital invested and the maintenance charges of the canals?" Well, Sir, when we talk of "our" water, we forget that under the category of "our" there are men who do not own canal-irrigated lands. "Our" in that sense means all the Punjabis in this province. Those who pay *abiana* or irrigation rates constitute probably a very small percentage of that "our" that I have just defined. Am I to understand, Sir, that this Council wants me to give water free to those who are lucky enough to possess lands that are watered by the canals, while the demands of the province by way of expenditure may be met by the whole province? If so, it can only mean that the land revenue will have to go up very considerably or other ways of taxation will have to be discovered. If no fresh taxation is to be discovered, then I am afraid if I reduce the 6 crores of rupees of *abiana* to 3 crores by charging nothing for water because it is God's water and so it is "our" water, it means that the 3 crores will have to be added to land revenue. Whether the owners of barani land will be able to bear that is a matter which this Council ought to consider very carefully. As a matter of fact my own view at present is this. Water being a provincial asset, it is the province that owns the water and it is the individual consumer who is also a Punjabi who has to pay water rate for the whole province.

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Therefore it is quite fair in principle as well as in practice to charge a fair amount of price for water over and above the cost of capital invested and the cost of maintenance.

Irrigation is a great blessing and yet, Sir, not an unmixed blessing. It has brought in its train the evil of waterlogging. That is an evil of which the Government has been cognisant for a long time and about which several measures of importance have already been adopted. During the short time that I have been in this office I have held a conference of the district officers and settlement officers of the affected districts with the object of first discovering the extent of this evil; secondly ; the possibilities of its increase ; thirdly, the possibilities of preventing it and fourthly, what is to be done for the poor unfortunate people whose lands have been waterlogged. Under waterlogging, lands which have deteriorated on account of *kallar* have also been included. Already as an experiment three villages in the Gujranwala district which were ruined have been re-established elsewhere. Efforts will be made so far as these three villages are concerned to reclaim the lands by a process which we trust will prove successful. I wish to add on the subject of waterlogging that all the members of Government and in particular His Excellency the Governor are most anxious to do all that lies in their power, firstly to prevent waterlogging and in the second place to do all they can for those people who are affected by waterlogging.

Another point was raised by an honourable member the chances of further extension of the canal irrigation in the Punjab, referring to the Haveliam and the Thal Projects. He appeared to hint, I think it was the honourable member representing the Hindu Landholders in the Punjab, that we were not perhaps realising our duty to the province in as much as the other provinces were trying to show that in the Punjab there should be no further extension of canal system, or that the Government of India was not favourably inclined to our irrigation enterprise. I do not know, Sir, how things which sometimes do not exist and sometimes are confidential and should therefore be treated as non-existent become known to honourable members. I can say this much that no efforts shall be spared by the Punjab Government in promoting the cause of canal irrigation in the Punjab. Nothing that constitutionally can be done by Government will be left undone in fighting out any rival that there may be in the field. I think this is all the assurance that a member of the Government can give and this is all that the honourable members of the House can expect.

I wish to say just one word as to the complaints one sometimes hears of lack of attention on the part of Irrigation officers towards the complaints of the zamindars or the grievances of the zamindars. I have not been very long in office, and I have not yet forgotten the non-official zeal for removal of grievances. But let me point out that it is absolutely necessary to separate general grievances or public grievances from private needs. The canal officer is a very hard worked officer, he is an officer to whom every one goes not for cultivation of social amenities as much as for getting something out of him for himself or for some others. If that canal officer could satisfy the needs of his visitors without doing any harm to those who have not come, his course will be simple and plain, but sometimes his duty to the public cause makes him act in a way that his visitors do not always appreciate. Therefore when one hears of many general complaints

of inattention on the part of canal officers, one ought to realise that in the public mind there is not very clear distinction between the two, that is to say the removal of public grievances in public interests and serving individual interests.

One word more as to the most interesting work entrusted to me, that is of colonisation. I have heard that I ought to have non-official advice. That is of course always most acceptable to me. I will be very grateful to honourable members of this House if they were to help me with any advice that they think I ought to have as to the best way in which the Nili Bar ought to be colonised. It will receive my most careful and earnest attention and thereon I will receive the advice of expert officers of Government who are interested in this work. Again many claims have been pressed on my attention, claims of communities, claims of classes, claims of congested people, claims of water-logged people, claims of Kangraites, claims of Hoshiarpurites (*A voice : claims of Shahpurites*) and claims of every other people, but all I can say is this : that it is a matter of the utmost importance to the province that the people who are imported into the Nili Bar should do that work for which they have come to the Nili Bar, that is to say, colonise it, cultivate it and make it into a most fertile and prosperous district in the Punjab. As long as that object is served, it is the duty of the Government to see that the interests of the water-logged, the congested, the washed away, the unemployed, the undergraduates, the graduates, those in service and those out of service and as a matter of fact every possible person who could be a source of prosperity to the Nili Bar and a credit to the province, his claims should be considered by the Government and every one treated without fear or favour.

The cases of military classes have been mentioned by some honourable members. I assure you, Sir, that a very considerable area has been set apart for them, but at the same time let me inform the House that the Punjab Government has no hand in the distribution of lands under that head. The military grants rest entirely with the military authorities and therefore such of the honourable members as may have an eye on that part of the Nili Bar had better address the military authorities of the Government of India rather than any department of the Punjab Government.

In view of the shortness of time. I would leave over my other subject, forests, and one other general subject in which I am also interested, namely, corruption, for some other occasion.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan) Urban]: Sir I am not going to start by congratulating the Honourable the Finance Member or his able Secretary. There is no use of first complimenting them and then bombarding hem with criticisms. This budget is typically *bania-like*, that is we are given *plus* and *minus* of very pie, but actually there is much to be criticised about the way in which the money is spent. Sir, every budget that comes before us we have to see whether it is a human document, and judged by this standard the present budget falls much below the test. In this budget there are lakhs and lakhs provided for officers bungalows and so on and so forth but not a pice is provided for the millions of orphans who are starving in this province. Who is going to feed these poor orphans ? The Government should protect them. Even in a country like England the Government provides these orphans with homes and feeds them and is it too much to ask that the Government in this country should follow the example set by England in this respect. Give us also a few thousand acres which

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you are throwing out to other people, these water-logged people, the congested people and to so many others so that the poor fatherless children may be protected in these days of distress. Surely these poor orphans are much worse off than the water-logged, or the washed away or the congested people. The miseries of these poor orphans are numberless I therefore submit, Sir, that it is high time that the Government reserved some thousands of acres of land for such institutions which are going to take care of these orphans and widows. My prayer is quite just and reasonable and I hope the honourable member who is in charge of this distribution of alms and largesses would help those societies or persons protecting these orphans. The Government should not forget these poor orphans in their hour of surpluses.

The Budget discussion is the occasion to talk about everything which you can imagine—so I am told by expert persons except *sub-judice* cases. The time left to me is very short and at the fag end of two days sitting one has the advantage of speaking to empty benches without being answered for his criticisms.

Mian Abdul Aziz: Why, the Government has the last word and so they can reply to your criticisms.

Shaikh Muhammad Sadiq: I am not referring to the last word which the Government always has in debates. Without digressing any further, I will come to one or two important points which I wish to refer. One of these is Excise. Only a few days back the most important resolution proposed by one of the honourable members of this House was lost and I then heard some cheers from the benches to my left which shocked us. The rejection was not due to the fact that this House endorsed excise policy or that it was a victory for anti-prohibitionist, but it was for the simple reason that greater injury might not be done by illicit distillation. The defeat of that motion the other day should not lead the Honourable Minister to think that the question of excise is dead and gone. The question of excise will still loom large before our eyes in future and I hope that the Honourable Minister for Excise for whom I have very great respect will devise some scheme so that in a few years time prohibition will become a settled fact. I do not agree with one of the honourable members representing the Government who spoke the other day and said that the Government was determined to pursue their own policy of not enforcing prohibition. I may remind that honourable member that it is for us to decide whether we will have prohibition or not.

The next question that I wish to touch upon is the question of industries. It has always been our cry that India is a very poor country. There is no doubt that plenty of gold is being hoarded in this country in the shape of ornaments. But it is for the Honourable the Minister for Agriculture to tap all the resources of the Punjab so that the gold which is buried may come forward to be utilised for the advancement of industries. We often hear of lip sympathy but nothing is done in actuality. We find many people investing money in Government securities for they consider them to be very sound. Don't you see that subscriptions to the loans raised by Government are often oversubscribed within 24 hours? I submit that if the Honourable the Minister for Agriculture will only apply his fertile mind to this important subject, I am sure that not only agriculture but other industries also will flourish and without industries there is no prosperity for the province.

As regards agriculture, I must say that in spite of the fact there are so many schools and farms, we are still not satisfied with the work that is being done. It is for the Minister for Agriculture to induce the public by intensive propaganda to improve the agriculture of the province. New schemes are required, new ploughs are required and a new system of intensive agriculture is required. There is no use of big gentlemen drawing fat salaries and living comfortably in a bungalow and cultivating a few *bighas* of land just for experimental purposes. What is the use of all the experiments done by agricultural experts unless these experiments are brought home to the masses and unless that knowledge is disseminated broadcast throughout the length and breadth of the province? The people must be induced to take advantage of the experiments conducted in demonstration farms and they should be asked to introduce all the improvements in their every day agriculture.

Now, Sir, I come to the subject of communal representation. In this communal ridden province, the honourable member for Hoshiarpur yesterday spoke about representation to the different communities. Well, Sir, there is no use of shutting our eyes to the existence of communal feeling. I submit, Sir, that for some time to come representation in the services as well as in legislative bodies should be on communal basis. My honourable friend at the beginning of his own speech began by condemning communal representation in the most vehement terms. The three Hindu members who took part in this discussion simply repeated parrotlike that communal representation should go. There is no use of crying down a thing as bad and at the same time seek to further the interests of one's own community to the detriment of other communities.

Pandit Nanak Chand: I do not know whether my honourable friend is referring to me. I never said anything by which it could be inferred that I was making a special pleading for my community or saying anything to the detriment of any other community.

Shaikh Muhammad Sadiq: The honourable member did say that there should be one common electorate. There is no use of mincing matters. I wish to tell the House point blank that the Muhammadans do want special protection from being swamped at the polls. There is no use of hiding that fact. It is much more honest to come forward and say that one wants special protection and that for some time only than to say one thing in the public and do another in private. When the time comes and when the country is ripe for it, this communal representation can be done away with. Knowing as we do that the Muhammadan has been kept down for a long time, there is no use of blinking the real state of affairs. There is no use of these pin pricks. The Muhammadan must have communal representation and when the time comes, he will be the first to declare that he no longer requires special representation.

I will now take up the medical department. We have been urging for a long time that the Unani and Ayurvedic systems should be started in this province, but I am sorry to see that the late Minister in charge of the Medical Department, although an Indian, turned a deaf ear to all our entreaties. Though as a member of the Government he never cared to encourage indigenous systems of medicine, yet I am certain that he, in his

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own house, whenever any member of his household needed medical attendance, he would always resort to the Unani or the Ayurvedic treatment. It is time that the Government realised the fact that the indigenous systems are as good as English systems and also much cheaper. I urge upon the Government the urgent necessity of opening Unani and Ayurvedic schools in the province and thus bring within the reach of the public easy means of medical treatment.

I have a great complaint to make to the Government in the administration of the department of 'General Administration'. In spite of more than half a century of British rule in this province, this province is not treated in the same manner as other provinces in the matter of administration of justice. You find that section 30 powers are not given to ordinary magistrates in other provinces but that they are tried by Assistant Sessions Judges. Although the Punjab has advanced a good deal under the British administration, in wealth, in intellect and in education, yet the Government has not instituted the same system of administration of justice here as in other advanced provinces. Administration of justice is the most important of all the subjects in this province. Justice is the bed-rock on which British administration in this country must depend. Anything done to shake the faith of the people in the administration of justice will end in disastrous consequences which cannot be easily repaired. The people can well appreciate pure justice meted out to them and anything done to lower the standard of justice is resented by the people. I will give an instance to the House how the people appreciate pure and unadulterated justice. Before the martial law days when Dr. Kitchlew and Dr. Satyapal were deported, we remember there was a riot in Amritsar. The mob was most uncontrollable and they murdered some Englishmen too. Some of the people were most brutally assaulted. Many of the buildings, although they belonged to the municipality or some private individuals, were demolished simply because the Government was holding offices there. The people were mad after committing incendiarism. In this great catastrophe, the statue of Queen Victoria alone was left unmolested. There is a story about it and I would like to bring it to the notice of the House. I was told about this by a man who was present there at that time. I asked him how when the whole Government offices, such as post offices, etc., were burnt down, the statue of Queen Victoria was left to stand as it was. He told me that at first some of the mob collected some stones to damage the statue, and they even threw a few stones at the statue. But some among the mob told the people that that statue should not be molested as it was during the reign of the great Queen whose statue they wanted to destroy that justice was done to all the people alike without fear or favour, the statue of such a sovereign should be allowed to remain in memory of the good done to the people by her. This was the story of the miraculous escape of the statue from the wrath of the mob. Even to this day, it can be seen at Amritsar that the statue is intact except for the small injury done to the little finger on the right or the left arm, I forget which. When you find justice properly administered instilling confidence in the minds of the people, I think no attempt should be made by the Government to undermine that faith. If junior magistrates are empowered to try section 30 cases, I am afraid the standard of justice is bound to be lowered in the estimation of the people. Surely there is no reason to treat this province as a non-regulated province in the matter of administration of justice. The same method of justice which is working so nicely in other provinces should also be introduced into this province.

I am afraid, Sir, that as the time left at my disposal is so short I am jumbling from topic to topic. Before I sit down, I would like to deal with one or two important subjects in as concise a manner as possible.

Mr. President : The honourable member's time is up.

Shaikh Muhammad Sadiq : May I not have some ten minutes more ? I have very many important points to deal with.

Mr. President : The honourable member can have two minutes more. Within that time he should try to finish.

Shaikh Muhammad Sadiq : Before sitting down, I will appeal to the Government to release all the Sikh prisoners. The whole problem has been satisfactorily solved and it is only the tail end that is yet remaining to be solved. Within the last twelve months, much of the Sikh agitation has stopped and we are fairly on the road to settlement. I think those people who are strong can afford to be merciful and lenient. If the Government shows mercy, it is not a sign of weakness, on the other hand it is a sign of strength. Look at the Maharaja of Patiala ? He has released all the Sikh prisoners unconditionally. Why not the Punjab Government take a leaf out of him and release all the remaining prisoners forthwith unconditionally. I can assure the Government it will never be construed as a sign of weakness but one of strength.

The Honourable Sir John Maynard (Finance Member) : Sir, I begin by thanking the honourable members of this House not only for the kind things that have been said about me and Mr. Miles Irving but also for the useful criticisms which have been uttered by some members of the House. It is, of course, quite impossible for me to hope to touch upon every side of the various subjects that have been discussed in the course of this very long debate. I shall have to limit myself mainly to my own particular subject, that is Finance. But I will also touch very lightly upon one or two other matters which have been put forward too late in the day to receive an answer from any other member of Government.

When my eye travels round this House three, possibly four of those gentlemen who made the most slashing attacks upon Government have somehow disappeared. They have not waited, I find, to hear my reply. If they had waited they would, I have no doubt, been fully convinced by what we have all had to say about these things.

As to the special points which do not perhaps belong to my immediate subject, I am going to select two. They were both put forward by an honourable member who I think represents the Muhammadan constituency in Hoshiarpur, at all events he was formerly a member of the Police Department and therefore he has a great deal of acquaintance no doubt with the working of that department and perhaps he is in a better position to say than many others that it is not all that should be desired. He said that dacoities had increased by a very large proportion in the last five or six years and he then went on to say that this was due to the fact that Government did not permit the free issue of arms to the population in general. I am not going to deal with that at any length, but I am going to point this out, as comparison was made between the years 1919 and 1924, that it is true that dacoities have increased during that period, largely owing to the fact that so long as the more stirring and adventurous spirits in the Punjab were still detained in the army, there was not quite the same opportunity for crime of that character to occur. But the point that I particularly wish to make is this that the arms policy of

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Government was precisely the same in 1918 as it was in 1924 and therefore however much we may be criticised for not having prevented this large number of dacoities occurring, it cannot possibly be the arms policy which is to blame. That has been exactly the same throughout.

The next point which that same gentleman made was in regard to corruption. He said that Government and Government alone is responsible for the corruption which exists and that the people are in no way responsible for it. I do not, Sir, decline to accept a measure of responsibility for Government for this very serious blemish upon the Punjab, but I do say that the people of the Punjab who tolerate these things and who do not inflict social penalties upon the offenders are sharers in that responsibility. I shall now touch on one particular small item that is connected with Finance which was put forward by a gentleman opposite whose constituency I regret to say I do not know and therefore I cannot specify it. But he is at all events a non-Muslim member. He spoke to the House about a particular case which came up before the Public Accounts Committee and on which the Public Accounts Committee spent a good deal of time. This was a case in which the Irrigation Department passed an estimate for a small sum which happened to be just less than the minimum which requires the sanction of the Finance Department and subsequently it transpired that a much greater amount was required for the work to be completed. That we all know was a wrong thing to do. The honourable gentleman and other members of the Public Accounts Committee will probably forgive me if I so far betray the secrets of the Public Accounts Committee as to say that we spent something like an hour in talking to the Engineers who were concerned in that case and we impressed upon them very effectively the feeling that this thing ought not to occur again, and it has had undoubtedly that effect because nothing of the kind is now being done. But I must add that the Chief Engineers gave convincing reasons for carrying out the work immediately, because the summer was coming and the season of flood approaching. If they had waited too long, the mischief would have been done and we should have been landed in a very absurd position. Our papers would have been in order and the financial rules would have been most strictly observed, but a considerable portion of important work would possibly have been destroyed.

One cannot sit listening to the budget debate without hearing arguments which have been put forward by one member contradicted by the arguments put forward by another. Sometimes the same member in the course of the same speech contradicts his own arguments. I have one or two interesting instances of that kind. I see the honourable member who made the speech is not here. In one breath he said that Government should establish a ratio or proportion of the various communities in each department, so much for this community, so much for that, and so on. I then waited for sometime and then he said "But whatever Government does let it not admit the principle of communalism."

As regards those instances in which one honourable member has contradicted what another has said: One honourable member complained of the serious prevalence of cattle theft and said that there was not enough of police. Shortly after another honourable member, who I observe has gone away also, got up and said that there are too many police. One said that they were too few and another said that they were too many, thus showing that there are different points of view even on the part of the public towards that maligned institution, the police.

Then in regard to irrigation I observe that one gentleman said that the irrigation department spends very much too much on its upkeep and maintenance, and it does not make anything like what it ought to make. Another honourable gentleman got up and said that the irrigation department was making too much. As to what the Irrigation department actually does make it is fairly easy for any honourable member to find out by a very simple calculation. You find on page 18 of our budget volume a statement of debt which has been contracted on account of irrigation and in the abstract you find what the irrigation department actually makes for Government. It is a very simple sum in arithmetic to calculate what is roughly the return upon the original out-lay. When we make that calculation we must remember two things, the return of the irrigation department is partly in the form of land revenue on the land to which it supplies water, and it is partly a payment for the water which is an asset of the province as a whole. If there were no water and no land all the labours of the irrigation department would be in vain. Therefore the return which is obtained by the irrigation outlay is not merely the return upon the cost of the works done but is also partly the payment for land and partly the payment for water, the two things in which the people of the province as a whole are undoubtedly entitled to a share, and which cannot be monopolised merely by those fortunate individuals who happen to be in possession of land which can receive water. The truth is that the cry about abiana being excessive is the rich man's cry, the cry of the well-to-do people and not of the poor. I ask the House to consider for a moment, is it a cry on behalf of the landless man, the true disinherited, the really poor, who can only share in these benefits of land and water because of the payments which are made for them by those who are more fortunate and which can benefit them by way of schools, hospitals or roads? Is it raised on behalf of the zamindar who tills the soil in a locality where he has to depend solely on rainfall? Is it on behalf of the barani zamindar that these gentlemen are pleading? Is it again on behalf of the cultivator who depends upon his well for the supply of water, for the supply of which as one gentleman reminded us in the course of the debate he has to pay something like Rs 23 per acre for wheat, whereas the holder of canal-irrigated land has to pay only Rs. 5 or 6? Is it raised on behalf of the cultivator on the inundation canal who has to depend on flood for the precarious supply which he cannot possibly obtain in more than one season? Is it even a cry on behalf of all the owners of land irrigated from perennial canal? No, it is not. Not a single one of the new charges, except that for cotton, is higher than a charge which was already being paid on some other canal. This is a factitious cry raised on behalf of a few fortunate individuals who happen to possess perennially irrigated land and who were formerly charged too little for the water they obtained. (Cheers).

Now, Sir, I should touch upon certain criticisms in connection with the budget. One gentleman, who is also not present now, delivered a most effective speech against Government and against the manner in which we have arranged our finances. He said that we must not use our extraordinary revenues for capital purposes and that we must cease doing this particular thing to which I have always attached a great importance, and which I have very frequently impressed upon the House as being as it were the sheet anchor of our financial arrangements. He also

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said he did not like the use of 27 lakhs of ordinary revenue for capital purposes. Well, I take the second point first. It is true as this gentleman pointed out and as I pointed out in my speech on the budget that we are proposing to use 27 lakhs of ordinary revenue for capital purposes. But owing to circumstances over which we have no control, since the budget was prepared the 27 lakhs have gone down to 12 lakhs because of the disappearance of the particular item of capital expenditure. What we are actually doing is to apply 12 lakhs of the ordinary revenue to capital purposes. I think probably even those gentleman who are not convinced that ordinary revenue may in certain circumstances very properly be used either to avoid debt or to extinguish it will agree that it would not be quite a reasonable thing for this Government to go to the Government of India or to go to the public for a loan of such a small sum when we have that sum in our own hands and the actual necessity for contracting a debt has not arisen.

As to the use of the extraordinary revenues for non-revenue expenditure, I want to carry the memory of the House back a few years. Formerly we did not make this distinction. Formerly we sold our lands and used the proceeds for ordinary expenditure. Two results followed from that habit. One of them was this, when the Meston Committee went round India and visited all the provinces in turn and examined into the possibility of their paying contributions to the Indian finances they looked at the Punjab and said 'here is a province with a very large balance. It can afford to pay a considerable sum.' This is because we had mixed up the receipts from the sale of land, which by the very nature of things could not again be sold, with the other revenues of the Government. Therefore the habit of using extraordinary receipts for ordinary expenditure contributed to the very heavy burden which the Meston settlement imposed upon this province. That is one point.

The other point is this: that owing to our use of the extraordinary revenues in this manner we did succeed in concealing both from ourselves and from outside critics to some extent the fact that we were proceeding with our expenditure at too rapid a rate. We were actually using non-recurring receipts for recurring purposes and thereby we were placing ourselves in a very dangerous financial position. Whatever the House may in future be asked to do in regard to these extraordinary revenues derived mainly from the sales of land, I beg of it before it commits itself to any hasty decision on this subject to remember these two things. Remember that some of the burden of the Meston settlement was due to that very practice to which this gentleman would have us revert to, and some of that unfortunate financial position into which we fell in the first years of the reforms was due to the confusion between two entirely different types of income, namely, the sale-proceeds of land and the ordinary revenue. The House has been extricated in my judgment from the former unfortunate financial position partly by the fixed determination not to use the extraordinary revenue as though it were recurrent. I would say to the House through you, Sir, 'Don't kick down the ladder by which you have climbed up to prosperity.'

Another point on which the financial administration is criticised is the proposal to lend a certain sum of money for a short term to the Government of India at 3½ per cent. per annum, I regret it could not be per mensem. In the first place it was suggested that the possibility of the loan showed

unnecessary wealth and secondly that I ought not to have agreed to let the Government of India have this money at such a low rate. As to the first point, the actual possession of the money, I suppose anybody who has had occasion to manage considerable sums of money, for instance the funds of a University or anything of that sort, will recognise that there are certain seasons of the year when the income has to be spent and there is another season when receipts are large and outgoings inconsiderable. This sum of money cannot in my judgment be lent for any considerably long period. It will be required in the course of the year, the interval during which we can safely let it out is only eight months. It is therefore very properly proposed to lend out this money at such rate of interest as we can get. As to the proposal to leave it in the hands of a reputable bank or firm I am not quite sure whether the reputable bank or firm is going to let us have it back when we want it. I have found a good many instances in this province where people having placed their funds some few years ago in the hands of some reputable bank have subsequently found difficulty in recovering it. As a matter of fact it is not permitted by the rules of Government to make use of money in this manner. The Government of India is our banker and insists on remaining our banker, the only difference is this that in certain circumstances it gives us interest and in others it does not.

My honourable friend Mr. Miles Irving has dealt very fully with the next subject which is that of over-budgetting.

6 P.M.

I wish to make it plain to the House that I do not for a moment deny what I myself made quite plain in my budget speech, that is to say, that we know there has been over-budgetting; we know that; we admit it and we are all in search of a better method of doing this work. What I do protest against is the suggestion that because it has happened before, it must necessarily happen to the same degree again. As a matter of fact, I gave reasons in my budget speech for the belief that we are gradually effecting an improvement. A very great deal of time and thought has been bestowed in the Public Accounts Committee on the methods of preventing the over-budgetting of expenditure and we have also ourselves devoted a considerable attention to the matter of under-budgetting our receipts. As regards the under-budgetting of our receipts, of course, it must be remembered that we inevitably budget for a normal year. We never know whether a particular year is going to be good or bad. We cannot merely guess and say possibly this may be a bad year. All we can estimate is that it is to be a normal year. When you get a series of normal years you inevitably have a certain accumulation for which you have not budgetted because your budget was only a budget for a normal year and a good year will always put you somewhat above the figure which you always expect.

Now I fear I must, at the risk of prolonging this sitting for a short time, touch upon the subject of taxation, partly because that has been the subject of many speeches and partly because I have an anouncement to make about it which I think will interest the House. It was pointed out to the House by some honourable members that there would have been a surplus even without taxation. I have looked into that very carefully. I find that the whole of our taxation—extra taxation—beginning with the Stamps and the Court-fees Act of 1922, including the abiana, the subsequent amendment to the laws about stamps on conveyances of urban lands and the Motor Vehicles Act followed by a certain remission of abiana and a slight modification of the Motor Vehicles

[Honourable Sir John Maynard.]

Act, I find that the net result of our taxation may be said to have given us something like 75 lakhs per annum. Now 75 lakhs happen to be exactly the amount of our surplus in the current year. But we must remember that our surplus in the current year includes also the sum of 56 lakhs of the net results of the remission which the Government of India made in the provincial contributions of last year. If there had been no extra taxation, and if there had been no remission of provincial contribution, we should have been in this position either we should have again been in a deficit of 56 lakhs or we should have been without all that beneficent expenditure which this House was only too glad to vote last May. The charge really amounts to this, that we did not foresee the remission of provincial constribution and that of course is perfectly true. Of course we did not foresee the remission of provincial contribution, not even the wisest heads could have foreseen or penetrated that secret and that for very excellent reasons. Up to the last moment the Government itself did not know whether it would materialise or not. If the House would cast its memory back, it would remember that owing to indecision about the cotton excise duty, we were in doubt up to the last moment whether we should get a remission of contribution or not. Therefore, while I admit that we were not aware of that remission, I add that we could not possibly have been aware of it and we are not to blame for not having foreseen it. As I have already said, when the remission came, the Council was very glad to vote the money for the beneficent expenditure. The Council was very glad to do so and it was very wisely glad to do so and the Council will in my judgment be very wise when again in the month of June, at the proposed additional session, it proceeds to vote still further expenditure of this character.

Now, Sir, when we have what I think one might talk of as a secure promise of further remission of yet another sum of 28 lakhs, I am in a position to listen to those constructive critics who have urged upon us the reasonableness and the justice of considering a further remission of taxation. I have to announce to the House that it is the intention of the Government between this and the session which will be held in June next to reconsider again the whole subject of taxation (Hear, hear) and at the time that we put forward our further demands for the consideration of the Council for additional expenditure, we shall at the same time announce to them what the results of the reconsideration of the whole position in taxation have been. (Applause).

The Council then adjourned till 2 P. M. on Monday the 8th March 1926.

44 PLC—110—18-3-26—SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Monday, the 8th March 1926.

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

OATH OF OFFICE.

The following members were sworn in :—

Mr. H. W. Emerson (Official, nominated).

Lt.-Col. W. C. H. Forster (Official, nominated).

Mr. J. D. Penny (Official, nominated).

Subedar-Major Asghar Ali Khan (Jhelum (Muhammadan), Rural).

QUESTIONS AND ANSWERS.

CRIMINAL INVESTIGATION DEPARTMENT OFFICERS AND INFORMATION BUREAU.

2700. Chaudhri Afzal Haq : Will the Government be pleased to state the number of Criminal Investigation Department officers employed in the Information Bureau department of the Local Government and the necessity for employing Criminal Investigation department men in this department ?

The Honourable Mian Sir Fazl-i-Husain : None.

KARTARPUR MUNICIPAL COMMITTEE.

2701. Chaudhri Afzal Haq : (*a*) With reference to the answer to Question No. 2010, asked on the 8th July 1925, will the Government be pleased to state if it is a fact that since the constitution of the Kartarpur municipality, no Muhammadan has ever been elected as a member of the municipal committee ?

(*b*) If so, will the Government be pleased to state—

(*i*) the causes which led to such a state of affairs ; and

(*ii*) the remedy which Government proposes to give adequate representation to the Muslims of Kartarpur municipality ?

(*c*) Is it a fact that since the constitution of the Kartarpur municipality, no Muhammadan was ever nominated to represent the Muslim interests in the municipality ?

*Vol. VIII-B, page 1195.

[Ch. Afzal Haq.]

(*d*) Is it a fact that there is not a single Muslim member, either elected or nominated, in the Kartarpur municipal committee ?

(*e*) Is it a fact that for the past five years, no general election has taken place ? If so, will the Government be pleased to say when they are going to order the general election for the Kartarpur municipality ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*a*) Yes.

(*b*) (*i*) The figures for voters by communities are not available for the existing wards and in view of the proposed revision of the wards it does not seem necessary to undertake the collection of such figures.

(*ii*) The wards of the municipality are being revised to secure adequate representation for the communities.

(*c*) Yes.

(*d*) Yes.

(*e*) Yes. The delay has been due to the necessity of revising the municipal boundaries and to the difficulty experienced with regard to the formation of wards to secure due representation for the communities.

IRRIGATION IN THE VILLAGE GUMTHALA GADHU.

2702. Chaudhri Sahib Dad Khan : (*a*) Will the Government be pleased to state whether it is a fact that *Saraswati* (rainy season canal) was converted into a canal in the Karnal district in 1897 ?

(*b*) Is it a fact that when this canal was so formed, land was acquired for this purpose and the proprietors of village Gumthala Gadhu had received no compensation for the land acquired from them ?

(*c*) Is it a fact that even their wells irrigating their lands were acquired without compensation being paid for the same ?

(*d*) Is it a fact that several wells were rendered useless on account of the said canal ?

(*e*) Is it a fact that in consideration of the above circumstances due regard was paid, at that time, to provide facilities for the irrigation of village Gumthala Gadhu ?

(*f*) Is it a fact that since then, their irrigation facilities have been considerably reduced by the outlets being reduced in size and by their not being granted *Katcha Mogat* during rainy season and just after as was done formerly ?

(*g*) If the answers to above are in the affirmative, what steps do the Government propose to take in order to make up the deficiency of the reduced irrigation ?

The Honourable Mian Sir Fazl-i-Husain : The honourable member is informed that enquiries have been made and the result is awaited. Complete information will follow.

REMODELLING OF RAJBAHA IN OKARA TAHSIL.

2703. Chaudhri Sahib Dad Khan : (*a*) Is it a fact that the grantees of land in Chak No. 36-37—2-R-a, in the Okara tahsil of the Montgomery district do not get their full share of canal water on account of the fact that the Rajbaha requires some remodelling ?

(b) Is it a fact that Honorary Lieutenant Ghulam Muhammad Khan and others whose lands are on or near the tail of this Rajbaha have been complaining since 1920 of the very short supply of canal water to their lands ?

(c) If the answer to the above be in the affirmative, will the Government please state what steps have been taken to supply the full share of canal water to the above-named grantees and to remodel the Rajbaha to secure that purpose ?

The Honourable Mian Sir Fazl-i-Husain : (a) No, the Rajbaha needs no remodelling.

(b) No, this channel came into operation only in 1922.

(c) Does not arise.

WATER SUPPLY TO VILLAGES BHURTANA, ETC.

2704. Chaudhri Sahib Dad Khan : (a) Is it a fact that in villages Bhurtana and Kirawar of Hansi tahsil and Alakpura of Bhiwani tahsil drinking water is brackish ?

(b) Is it a fact that a canal runs at a distance of some five miles from Bhurtana ?

(c) Is it a fact that no canal water has been supplied to these villages for drinking purposes as yet ?

(d) Is it a fact that village Jamalpore is only two miles from village Bhurtana, and that there is good water available for drinking purposes ?

(e) Will the Government please state whether it proposes to supply canal water for drinking purposes to the above villages, or if this is not feasible, to supply good drinking water by means of pipes from village Jamalpur to the above villages as has been done in the case of village Karera in the Firozpur-Jhirka Tahsil of the Gurgaon District ?

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

IRRIGATION IN THE HISSAR DISTRICT.

2705. Chaudhri Sahib Dad Khan : With reference to the answer to Question No. 2479,* put on the 11th December 1925, will the Government be pleased to state—

(a) the area irrigated in village Naya Gaon of the Hissar Tahsil before the remodelling ;

(b) the area now irrigated after the remodelling ;

(c) the area irrigated by the outlet of Ahmad Hasan of village Daulatpur before it was reduced in size ;

(d) the area now irrigated by the same outlet ;

* Vol. VIII-B, page 1720.

[Ch. Sahib Dad Khan.]

(e) the area irrigated in village Budha Kera of Hissar tahsil before the grant of a new outlet to the landlords of this village; and

(f) the total area irrigated in village Budha Kera now?

The Honourable Mian Sir Fazl-i-Husain: The honourable member is informed that enquiries have been made and the result is awaited. Complete information will follow.

MUSLIM MINISTERIAL STAFF IN THE RAWALPINDI REVENUE DIVISION.

2706. Chaudhri Sahib Dad Khan: Has the attention of the Government been drawn to an article (letter) published in the *Muslim Outlook*, dated the 30th January 1926, regarding the paucity of Muslim ministerial staff in the Rawalpindi Revenue Division?

If so, is the Government prepared to make up the deficiency?

The Honourable Mian Sir Fazl-i-Husain: Yes, as education spreads in all classes and communities, it will be possible for Government to remedy inequalities among different communities in representation in Government service.

PAY AND PROSPECTS OF SUB-ASSISTANT SURGEONS.

2707. Lala Bodh Raj: With reference to the answer to Question No. 2092,* asked on 30th November 1925, will the Government please state what decision has been arrived at by the Government?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The following concessions have been granted to the Sub-Assistant Surgeons in Government service, who may obtain the membership of the Punjab State Medical Faculty or a higher medical qualification:—

(1) Exemption from all professional examinations.

(2) Grant of four advance increments on the Time-scale of pay to those who are drawing Rs. 114 per mensem or less, and the maximum pay of the Time-scale, namely, Rs. 130 per mensem, to those who are drawing more than Rs. 114 per mensem.

PROMOTION OF LALA TRILOK NATH AS SECOND MASTER AT KATHA SAGRAL.

2708. Lala Bodh Raj: With reference to the answer to Question No. 2120† asked on the 30th November 1925, will the Government please state if Lala Trilok Nath was promoted to be Second Master before or after the appointment of Mr. Fazl Ilahi?

The Honourable Rai Sahib Chaudhri Chhotu Ram: Lala Trilok Nath was promoted to be Second Master after the appointment of Mr. Fazl Ilahi.

ALLOWANCES TO PAR SINGH ON RELEASE FROM THE MULTAN CENTRAL JAIL.

2709. Lala Bodh Raj: With reference to the answer to Question No. 2191.‡ asked on the 4th December 1925, will the Government please state

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* Vol. VIII-B, page 1344.

† Vol. VIII-B, pages 1359-1360.

‡ Vol. VIII-B, page 1427.

if any note was made to the effect that the prisoner Par Singh was offered a railway credit note and subsistence allowance and that he refused to accept them?

The Honourable Sir John Maynard: Yes, a note was made in the release Diary (Register No. 4) to this effect.

SUBSISTENCE ALLOWANCE TO AKALI PRISONERS ON RELEASE.

2710. Lala Bodh Raj: With reference to the answer to Question No. 2192,* asked on the 4th December 1925, will the Government please state the amount of subsistence allowance allowed to Akali prisoners released from the Central Jail, Multan, after having given the required undertaking and to those that were released in due course after having served out their term of imprisonment?

The Honourable Sir John Maynard: The subsistence allowance in both cases varied from As. 4 to Rs. 2-8-0 at the discretion of the Superintendent, Jail, who always had in view the distance to be performed by Railway, the distance between Railway stations and the homes of the released prisoners and their capacity to perform the journey on foot. No differentiation was made between prisoners released on furnishing an undertaking and those released in the ordinary way.

RELEASE OF AKALI PRISONERS.

2711. Lala Bodh Raj: Will the Government please state, according to several jails in the province, the figures showing how many Akali prisoners have been released up till now after taking the necessary undertaking from them in the terms of the speech of His Excellency the Governor delivered in the Council after the Gurdwara Bill was passed?

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

M. ALLAH BUX, TEACHER, DISTRICT BOARD PRIMARY SCHOOL, MAUZA BOSAN.

2712. Lala Bodh Raj: With reference to the answer to Question No. 2195,† will the Government please state what action has been taken by the local authority concerned?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The information is being obtained and will be supplied to the honourable member when ready.

RECRUITMENT TO PROVINCIAL SERVICE OF NON-MUSLIM TEACHERS OF MULTAN DIVISION.

2713. Lala Bodh Raj: With reference to the answer to Question No. 2220‡ (*ii*) asked on the 7th December 1925, will the Government please state whether the non-Muslims referred to in the answer were in employ in some other division before they were taken into the provincial service and posted to the Multan division, or whether they were already at Multan when they were taken in the provincial service and posted to that division?

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* Vol. VIII-B, page 1427.

† Vol. VIII-B, page 1429.

‡ Vol. VIII-B, page 1479.

The Honourable Rai Sahib Chaudhri Chhotu Ram: The officers were serving in the Multan Division at the time of their promotion to the Punjab Educational Service.

RECRUITMENT OF MALIK MUHAMMAD HUSAIN TO PROVINCIAL EDUCATIONAL SERVICE.

2714. Lala Bodh Raj: With reference to the answer to Question No. 2227,* will the Government please state what points were taken into consideration that led the authorities to conclude that Malik Muhammad Hussin was more suitable than the other candidates?

The Honourable Rai Sahib Chaudhri Chhotu Ram. The honourable member is referred to paragraphs 5 and 6 of Chapter II of the Annual Report of the Education Department for the year 1924-25, in which the general principles of promotion are discussed.

TRANSFER OF PATWARIS IN THE SHAKARGARH TAHSIL.

2715. Maulvi Mazhar Ali Azhar: (i) With reference to the answer to Question No. 2353† (g) asked on 11th December 1925, will the Government please state on what matters a further report has been called for by the Financial Commissioner?

(ii). Has the report been since received? If so, will the Government please lay on the table a copy of the report?

(iii) What action, if any, has the Government taken on the report?

The Honourable Mian Sir Fazl-i-Husain: A further and more detailed report was called for received and dealt with. It is not in public interest to lay the report on the Council table, or say anything more than has already been said.

RELEASE OF AKALI PRISONERS.

2716. Maulvi Mazhar Ali Azhar: With reference to the answer to Question No. 2355 asked on the 11th December 1925, will the Government please state if it is now in a position to answer the question? If so, will it please lay the answer on the table?

The Honourable Sir John Maynard: The answer to Council question No. 2355 is laid on the table.

Answer to Question No. 2355 (*page* 1665, *volume VIII-B*).

The Honourable Sir John Maynard:—

Convicts:—

(i) 69.

(ii) 2,126.

Under-trial prisoners:—

(i) 22, the agreement being given verbally in open Court.

(ii) 16.

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*Vol. VIII-B. pages 1481—1482.

†Vol. VIII-B, page 1664.

(f) Government trusts that Sikhs generally, and the persons named, will work the Act (which gives the Sikhs control of their shrines), irrespective of the question of unconditional release of prisoners.

(g) No. Government has accepted 22 declarations, made in open Court and brought on record, in which readiness to work the Act has been expressed and a promise has been given to abstain from direct action.

(h) Does not arise.

JUDICIAL AND NON-JUDICIAL STAMPS.

2717. **Maulvi Mazhar Ali Azhar:** Will the Government be pleased to lay on the table a statement showing the amount realised by the sale of judicial and non-judicial stamps during the following periods:—

March	1920	1921	1922	1923	1924	1925
April	"	"	"	"	"	"
May	"	"	"	"	"	"
June	"	"	"	"	"	"

The Honourable Sir John Maynard: The required statement is laid on the table. It is regretted that the figures for 1920 are not available as the records have been destroyed :—

[Hon. Sir John Maynard.]

Statement showing the amount realised by the sale of Judicial and Non-Judicial stamps during the following periods :—

Months.	1921.		1922.		1923.		1924.		1925.	
	Non-Judicial.	Judicial.	Non-Judicial.	Judicial.	Non-Judicial.	Judicial.	Non-Judicial.	Judicial.	Non-Judicial.	Judicial.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
March	Not available.		2,66,222	5,04,698	2,72,198	5,18,512	2,78,060	6,12,423	4,80,759	13,27,720
April	2,03,722	3,73,594	1,64,415	3,31,633	1,98,604	4,62,482	2,09,822	5,15,615	3,91,946	17,43,365
May	2,58,529	4,27,728	2,14,260	4,18,704	2,19,632	5,09,512	2,25,012	5,71,227	4,07,890	24,36,795
June	3,86,768	5,46,039	3,88,564	5,60,440	2,72,778	5,97,556	2,96,921	6,67,232	3,74,846	14,50,658

ILLEGAL POSSESSION OF REVOLVERS, ETC.

2718. Maulvi Mazhar Ali Azhar: Will the Government please lay on the table a statement showing —

(*a*) the number of revolvers, chhavis, kukris, bombs and other kindred articles illegally kept and which have been recovered during the year 1925 and during January 1926;

(*b*) the districts wherefrom the articles have been recovered; and

(*c*) the number of persons arrested, convicted and awaiting trial in connection with the offences committed in respect of the said articles?

The Honourable Mian Sir Fazl-i-Husain: The information is being collected in so far as it is possible to do so without unnecessary labour, and the result will be communicated to the honourable member when ready.

GRANT OF LAND IN EXCHANGE OF LAND ACQUIRED BY GOVERNMENT.

2719. Maulvi Mazhar Ali Azhar: (*a*) Will the Government be pleased to state the area of the agricultural land, shamilat deh and village site of the village Kotli, a suburb of Gurdaspur, in the year 1852?

(*b*) Is it a fact that land has been acquired by Government in this village on several occasions?

(*c*) Will the Government please state on how many occasions was the land acquired, during what years, for what purposes and to what extent in each case?

(*d*) Is it a fact that the village site was also acquired and the people had to go to the village Nangal and other places to build houses?

(*e*) Will the Government please state the area of the agricultural land of the village at present?

(*f*) Is it a fact that the land of this village is being acquired for the extension of the Agricultural Farm, Gurdaspur?

(*g*) Will the Government please state the number of proprietors of the village and the number amongst them who themselves cultivate the land?

(*h*) Is it a fact that the cultivating proprietors have represented that they may be given suitable land instead of the market price in exchange for their land acquired by Government, and that the price paid for their land is of no help to them as they can earn livelihood in no other way except by the pursuit of agricultural occupations?

(*i*) Is it a fact that the officers of the Department of Agriculture have promised the said proprietors that land would be given to them in exchange for their land acquired. If so, is the Government arranging for the grant of land to the said persons. If so, will it please state to whom and where?

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

RELEASE OF BABA GURDIT SINGH.

2720. Maulvi Mazhar Ali Azhar: (a) Will the Government be pleased to state when Baba Gurdit Singh of the *Kamagatu Maru* was convicted and for what offence, and what was the period of imprisonment he was sentenced to undergo?

(b) Was he released before the expiry of the period of his sentence?

(c) If so, will the Government please state the reasons why he was released?

The Honourable Sir John Maynard: (a) Baba Gurdit Singh was convicted on the 26th of July 1922 and sentenced to transportation for 5 years under section 124-A, Indian Penal Code.

(b) Yes.

(c) Consideration was given to his case in the light of the practice regarding convicts sentenced to transportation who are detained in Indian Jails, and it was decided that in view of the period spent in jail and the circumstances prevailing in the Punjab he should be released in January 1926.

COMMITTEE TO ENQUIRE INTO MATTERS CONNECTED WITH THE CONSTRUCTION OF THE SHAHPUR BRANCH CANAL.

2721. Maulvi Mazhar Ali Azhar: (a) Has the committee appointed by the Government to inquire into matters connected with the construction of the Shahpur branch canal completed its inquiries?

(b) If the answer to (a) be in the affirmative, will the Government please state whether the committee has submitted its report? If so, will the Government please lay on the table a copy of the report?

(c) What action has the Government taken on the report?

The Honourable Mian Sir Fazl-i-Husain:

(a) The Committee has completed its inquiries.

(b) The Report has been received from the President of the Committee.

(c) Still under consideration.

Maulvi Mazhar Ali Azhar: With reference to part (b) of the question will Government please lay on the table a copy of the report? Is not Government prepared to lay on the table a copy of the report?

The Honourable Mian Sir Fazl-i-Husain: The report is still under consideration.

SMUGGLING OF UNAUTHORISED ARTICLES IN THE LAHORE CENTRAL JAIL.

2722. Maulvi Mazhar Ali Azhar: (a) Is it a fact that some months ago an Assistant Jailor was caught in the act of smuggling unauthorised articles in the Lahore Central Jail? If so, will the Government please state what were those unauthorised articles found in his possession?

(b) What punishment was awarded to the Assistant Jailor concerned and by whom?

(c) Was the matter reported to the Government and has Government taken any action in the matter?

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

INSPECTION OF LAHORE CENTRAL JAIL BY CHAUDHRI AFZAL HAQ.

2723. **Maulvi Mazhar Ali Azhar**: (a) Is it a fact that Chaudhri Afzal Haq, M.L.C., visited the Lahore Central Jail on the 11th, 12th and 13th January 1926, consecutively?

(b) Is it a fact that on one of those days, he was requested by one Tek Ram, a prisoner to go to the godown and see him weigh the sacks of grain, etc., on the balance?

(c) Is it a fact that after repeated and earnest requests by the said prisoner Chaudhri Afzal Haq went to the Superintendent and asked him to accompany himself with Tek Ram to the godown and have the sacks weighed as the prisoner alleged that the balance was defective and all the sacks were less in weight than they were supposed to be?

(d) Is it a fact that the experiment was tried by Tek Ram in the presence of the Superintendent, Chaudhri Afzal Haq, M.L.C., and other officers of the jail?

(e) Is it a fact that when sacks were placed in one scale and the weights in the other, the balance showed equilibrium, but when the scales were exchanged the sacks always proved less in weight?

(f) Has any explanation been offered by the Superintendent or the jailor as to this defect in the balance?

(g) Has the affair been noticed by the Government? If so, has the Government taken any action in the matter?

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

APPOINTMENT OF MEMBERS OF COUNCIL AS NON-OFFICIAL VISITORS OF JAILS.

2724. **Maulvi Mazhar Ali Azhar**: (a) Has the Government considered the resolution passed by the Council recommending that the members of the Council be made non-official visitors of jails situate in their respective constituencies?

(b) Has the Government arrived at any decision? If so, what is the decision and on what grounds is it based?

The Honourable Sir John Maynard: (a) Yes.

(b) At present the experiment is under trial of appointing the members of the Standing Committee on Jails to be Non-official Visitors of all Provincial Jails. It is not proposed to extend the scope of that experiment.

CASES UNDER CERTAIN SECTIONS OF THE INDIAN PENAL CODE.

2725. Maulvi Mazhar Ali Azhar: (a) Will the Government be pleased to state the number of cases under sections 498, 497, or 494 of the Indian Penal Code instituted in courts during the year 1925 in each district of the province?

(b) What were the number of cases compounded, discharged, acquitted and convicted respectively?

The Honourable Sir John Maynard: The honourable member's attention is invited to the details given in Provincial Statement No. V—(Criminal) appended to the Note on the Administration of Criminal Justice in the Punjab during the year 1924, and in particular to Serial Nos. 33 and 73 thereof and paragraph 7 of the Note. Figures for the year 1925 have not yet been received. Details by districts cannot be supplied without an amount of labour which appears to Government to be unjustified.

CASES UNDER CERTAIN SECTIONS OF THE INDIAN PENAL CODE.

2726. Maulvi Mazhar Ali Azhar: (a) Will the Government kindly state the number of cases tried under section 366 and kindred sections of the Indian Penal Code during the year 1925 in each district?

(b) What was the number of persons accused, discharged, acquitted or convicted in each district?

(c) In how many cases in each district was there no conviction?

The Honourable Sir John Maynard: The honourable member's attention is invited to the reply given to his Question No. 2725 (supra).

ANNUAL RECEIPTS OF GOVERNMENT UNDER CERTAIN HEADS OF REVENUE.

2727. Maulvi Mazhar Ali Azhar: Will the Government be pleased to lay on the table a statement showing the annual receipts from the year 1900-01 to 1924-25 from the following sources:—

(i) foreign spirits and fermented liquors:—

(a) License fees, (b) still head-duty, (c) duty on malt liquors;

(ii) country spirits and fermented liquors:—

(a) license fees, (b) still-head duty, (c) distillery fees;

(iii) Fines under the Excise Act?

The Honourable Sardar Jogendra Singh: The honourable member is referred to Imperial Return No. 1 in regard to parts (i) & (ii) and to Form No. III in regard to part (iii) appended to the Punjab Excise Administration Report for the relevant years.

Maulvi Mazhar Ali Azhar: Will Government be pleased to place in the Council Library a copy of the Punjab Excise Administration Reports for the same years?

The Honourable Sardar Jogendra Singh: They are there.

PICKETTING OF LIQUOR SHOPS.

2728. **Maulvi Mazhar Ali Azhar**: Will the Government please state the number of persons charged with offences in connection with the picketting of liquor shops or places for the auction of licenses for the sale of liquor on allegations of interference with persons proceeding to or from those places; the number of persons convicted; their names and the sentences inflicted on them during the years 1919, 1920, 1921 and 1922?

The Honourable Sardar Jogendra Singh: The information is not available.

SUSPENSION OR REMISSION OF EXCISE DEMANDS.

2729. **Maulvi Mazhar Ali Azhar**: (*a*) Will the Government be pleased to state in how many cases during the year 1918-19, 1919-20, 1920-21, 1921-22 and 1922-23 were excise demands suspended or remitted and what was the amount so suspended or remitted?

(*b*) In how many cases were concessions allowed to license-holders during these years and what was the amount of the compensation awarded?

The Honourable Sardar Jogendra Singh:—

(*a*) The total amount of remissions of excise demands will be found in column 11 of Form No. I attached to the Excise Administration Report of the year in question. Government has no information as to the number of cases in which these remissions were granted.

(*b*) Government has no detailed information, and does not consider that the value of the information, if collected, would be at all commensurate with the labour involved in collecting it.

GOVERNMENT'S DEMANDS FOR GRANTS.

LAND REVENUE GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I beg to move—

"That a sum not exceeding Rs. 42,86,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Land Revenue."

Mr. President: The question is—

"That a sum not exceeding Rs. 42,86,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Land Revenue."

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural]: Sir I beg to move—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 7,160—Total pay of establishment Re-afforestation (including Chos areas)."

Sir, only a few months ago this House discussed the question of the chos in the Hoshiarpur District. During the interval the honourable the Financial Commissioner made a tour of six or seven days to see this chos area and the damages which the chos have done over the Hoshiarpur District. Before I proceed to discuss this question I wish to pay a tribute to the honourable

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the Financial Commissioner who took great interest in this question and who saw a large number of people in order to make enquiries regarding the damage which has been done by the chos. Sir, I had also the pleasure of accompanying the Financial Commissioner on his tour. This afforded me an opportunity of moving amongst a large number of people who are interested in this question. After having made enquiries from the various people who are living in the area which is covered by the Chos Act and also after having made enquiries from those people who are living in the plains as to whether these hill torrents have done a lot of damage and whether that damage has been prevented by the Chos Act, my considered opinion is that the administration of the Chos area under the Chos Act has been a signal failure and that an amendment here and there in the Chos Act is not going to settle this vexed question. I realise, Sir, having made this tour that this is a very complicated problem and that it is not a very simple problem. According to the provisions of the Chos Act Government has taken under its control a large area on the Shiwalik Range which is popularly called the Kattardhar with the object of making forests there, so that the rain water when going down may be impeded in its velocity. Now, we find after 25 years of administration that there are practically no forests on these hills which were taken by the Government to be administered under the Chos Act. I specially noted a large number of small hills in the Garhshankar Tahsil where there is practically no forest in spite of 25 years of administration of that area by the Government. I agree entirely with those who think that if a forest is grown over these hills, that is bound to do some good to the people who are living in the plains, as the velocity of water will be impeded by the growth of these forests. The people who own this Shiwalik Range are interested in not having any kind of administration by the Government, while the people living in the plains desire that there should be some forest on the hill tract. The interests of the people living on the hills therefore come in conflict with the interests of the people living in the plains. If you take possession of the property of the people who own this property on the Shiwalik Range you do certain amount of good to the people living in the plains provided you are able to grow forest on those hills tracts. Now, Sir, there lies a serious difficulty. If you are going to take possession and administer the property belonging to the people on the Shiwalik Range you do offend them to a great extent and therefore the Government has to take into consideration the interests of those people. How is the Government going to reconcile their interests with the interests of the people living in the plains? That is one question which the Government must reply. I came to know that a large number of people who live in the Shiwalik tract by payment of certain illegal gratification to the forest guards get all the forests destroyed by their goats and by their cattle. Those who are favoured by the guards pay certain amount of money to the forest guards and thus get access to this area which is administered by the Government, and the result of that is that these favoured few have the advantage of grazing their cattle on this area which is enclosed by the Government and over which the forest guards are kept. The result of this administration has been that while on the one hand there has been no forest, on the other those people who have got proprietary rights in that property are not able to have the advantage of the lands which they own and which the Government does not own. Now, how is the Government going to reconcile their interests with the interests of the men in the plains? That is a question for which I look to the Government for a reply.

Now, Sir, it was pointed out to me that those tracts of locality where section 4 or section 5 of the Chos Act applies have got small growths of forests. I pointed out to the Government officials where the two tahsils of Una and Hoshiarpur meet that on the eastern side of the Shiwalik there is a great growth of forests, there are a large number of fir trees and a large number of other trees. On the eastern side, the hill side is very green and covered with various kinds of trees, though it is not administered by the Government. The people exercise their proprietary rights and there is no kind of limitation to that side of their rights. It may be said : " look at the western side which is administered by the Government and to which section 4 or section 5 of the Chos Act applies, what a nice growth of forest.' My reply is : " look to the eastern tract where there are large number of trees and which is covered by better forests than the western tracts and where the Chos Act does not apply." What I am driving at is that those people who have got proprietary interest in the soil take more care of the property than those people who have got absolutely no interest in the property on account of the Government having taken possession of the land and on account of the Government administering the area under section 4 or section 5. The Government should make over these tracts to the people and organise small committees and educate them by propaganda work that if they have these fir trees or other forest growth on their hills it is likely to do good to them as well as to others. And if the Government acquires their properties they should receive certain amount of compensation in the shape of money or in the shape of lands elsewhere for giving up the enjoyment of their rights. That I submit, Sir, is the only solution which is possible inasmuch as the action taken by the Government has not been satisfactory. I submit that it will not be satisfactory even if the Government goes on administering this Act by making those alterations in the Chos Act which it proposes to do.

Now, Sir, a word might be said with regard to the modification and with regard to the amendment of the Chos Act. I submit that the proposals made are absolutely of no avail. What those amendments mean is, one word 'extinguish' should be taken away or the words 'extinguish permanently' should be removed and so on ; that is to say, the people should know that the Government has taken possession of their land only for temporary periods or for short periods of time, but you do not specify any period of time. Therefore the amendments that are being made do not in any way show that there is any substantial modification in the administration of the Chos Act. Well, Sir, it was admitted by the honourable the Financial Commissioner when he spoke last time on the subject that he realised and the Government realised that the misery of the people who lived in the Hoshiarpur district is very genuine. But I ask in all seriousness what has the Government so far done to remove this misery of the people. It has not, so far as I am aware, spent a penny out of its funds for the growing of forests. It has not, so far as I am aware, done anything to have bunds in different localities. It has not done anything except the passing of the Chos Act and the appointment of certain forest guards who instead of doing service have been doing harm to the hill-side. Now, if the Government realises that this is a very serious problem and the people are greatly distressed on account of these hill torrents it is the duty of the Government to do something substantial and not to go on saying 'well, we realise your difficulty, we know that people there are distressed on account of these hill torrents'. I hope that the honourable the Financial Commissioner will make

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a statement as to the amount of money the Government has spent so far on the reclamation of this chos area or the reclamation of these hill tracts. That is a statement which I expect to be made from the Government benches.

Now, Sir, the honourable the Financial Commissioner realises that the Hoshiarpur District is one of the prettiest districts. He was constrained to say that when he made his tour in that *illaqe*. I have always been saying that it is one of the best and most beautiful districts, but unfortunately on account of floods and on account of the river Bias on the one side and the river Sutlej on the other the prosperity of the district is being destroyed. You have got the Sutlej which year in and year out destroys a large number of cultivated fields and turns them into barren lands, sometimes washing away whole villages, not only the cultivated area but the homes and houses of the villagers living on the banks of this river. You have got on the other side the river Beas doing the same thing with regard to the holdings of the different villagers in Dasuha Tahsil. You have got at the top of that those chos which destroy the interior, the valuable lands and houses belonging to the residents of this district. I submitted at that time that the Hoshiarpur district is the district of small landholders. There are no big landholders in the Hoshiarpur district. You may find a few here and there but generally it is a district of small peasant proprietors and when these people find that their lands are destroyed either on account of the action of the rivers or on account of the action of these chos they find that they are absolutely without any means of livelihood, any means of subsistence. Is it not the duty of the Government to tackle this problem? Is it not the duty of Government to do something to relieve the misery of the people who have been rendered homeless and driven out of this district on account of the action of the chos or the rivers? What are these people going to do? In this connection, I have again to refer to that big cho called the Swan which runs in the Una tahsil. From personal enquiries made by me I found.....

Mr. C. M. King: It is not fed by cho.

Pandit Nanak Chand: It is fed by the chos.

Mr. C. M. King: I am afraid, I must say it is not fed by the chos at all.

Pandit Nanak Chand: It is fed by chos in certain parts. From my enquiry from the various villagers, I learn that it is fed by chos on various sides and the result of this is that when the Swan stream comes on, a large number of homes and houses of people are destroyed and a large number of cattle lose their lives and a number of people also lose their lives. This is also another problem, how to remove the difficulty with regard to this Swan which runs in the Una tahsil. One suggestion was made by the people there, that either there should be bridges built on the Swan in different places or a large number of girders should be so erected and iron chains should be so arranged that people may be able to go from one side of the Swan to the other side with the help of these chains which are to be supported by the girders. You cannot ask the district board to do anything of this kind because it requires a large amount of money and many of the district boards are badly in need of funds. It is the duty, I submit, of the Government to give large grants for this purpose so that people may be protected wherever there is a Swan and wherever there is to be the crossing of the Swan from one side to the other.

In conclusion, I submit that the problem, as I have always been stating in this Council, is a very serious one and the Government ought to take a deeper interest in the matter. It should not merely content itself by the passing of this Chos Act, but it should have training works to train people. It should appoint a committee of experts to go into the whole question and to see whether it is possible to have deep channels in which water may run and the water may not go about destroying the rich fields of the villagers which are existing in this chos.

I want to make special mention of one particular cho in the plains which is under the Chos Act. This is called the Maili cho. That is the only cho which is administered by Government. In every other place, these chos in the plains are under the management of the people themselves. I pointed out to the Financial Commissioner, one particular cho near the Balachaur which was overgrown with forests and if people are stimulated by concessions now granted by Government, they will be able to better manage these chos than the Government could possibly do. There is absolutely no reason why a distinction should be made in the case of this Maili cho. I find that the whole House is not interested in this problem to a very great extent and therefore I shall cut short my remarks by merely moving this amendment and asking the Government to give a satisfactory reply to the questions I have put.

Mr. President : Grant under discussion, motion moved :

> "That the grant be reduced by Rs. 1 with respect to the item of Rs. 7,160—Total pay of establishment Re-afforestation (including Chos Areas)".

The question is that that motion be adopted.

(At this stage Dr. Gokul Chand Narang rose to speak but on seeing Mr. C. M. King also rising, gave way.)

Mr. C. M. King (Financial Commissioner) : I thank my honourable friend Dr. Gokul Chand Narang for allowing me to explain at this early stage what the position is as far as the Hoshiarpur District is concerned with respect to this Chos Act. I have listened very carefully to the speech of the honourable member for Hoshiarpur and I waited eagerly for some really constructive suggestions which would enable the Government to take action such as he desired and stop the great damage done by the chos. I looked forward eagerly for some suggestions because this problem of dealing with chos is one which has been the concern of Government for about 50 years. For at least 50 years, Government has sought some means of lessening the great damage done, and so far, its success has not been very great. The problem is one which bristles with difficulties as my honourable friend Pandit Nanak Chand has already indicated in his speech, and if he had been able also to suggest some method of solution, I, for one, would have been only too eager to investigate it. I find however that such suggestions as he has put forward have all been considered by experts and although my honourable friend Pandit Nanak Chand thinks them valuable—they are valuable to a certain extent—yet they are not of that degree of value which he is inclined to attribute to them. The honourable member has pointed out the first difficulty that meets us and that is the difficulty that there is a small conflict between the people in the hills and the people in the plains. These chos which have their origin in the hills and which are due entirely to the denudation of those hills do no damage in the hills themselves, but

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they do a great deal of damage to the fertile lands which lie in the plains. In order to avoid the difficulty we have to take action as a rule not at the place where the damage is done—in some cases we have to take action there also—but as a general rule the place where we have to take action is in the hills and as my honourable friend Pandit Nanak Chand rightly pointed out the people in the hills say: 'why should we submit ourselves to restrictions for the benefit of people in the plains.' That, Sir, is one great difficulty which has confronted us all through and which has prevented us from taking that drastic action in the hills which might at once have led to their afforestation and which might in a very few years have caused a very great improvement in the plains. We have not been able to take the action that some people would have wished us to take in the hills because the disturbance would have been great. The only real way in which we could have done in the hills all that we wanted to do would have been to acquire the whole area or at least the whole southern facing area of this Katardhar and to have dealt with it as a whole. That would have meant expropriating the whole of the people inhabiting that area from that place depriving them of all their cultivated lands, removing them from the villages, and taking from them all such rights as they had. That heroic measure was at one time advocated, I think about 30 years ago, by a forest officer who went into the whole matter and said that until that was done, it would be impossible to do anything for these chos. But Government was averse from taking that heroic measure. It would have been extraordinarily costly —I do not know how many lakhs of rupees, probably crores would have been required,—but quite apart from the expenses there was the problem of what was to be done with the people who were to be expropriated. At the time when the suggestion was made we had no canals, no colonies and we did not know in the least what to do with the persons who might be expropriated. Anyway that suggestion had to be abandoned. Then we were in this position. We had to do something in the hills, which the people in the hills did not like, for the sake of the people in the plains and the result was we had to proceed very cautiously. Therefore we passed this Chos Act which gives us two distinct kinds of powers, section 4 and section 5. Section 4 allows all people who have rights in the forest to retain those rights and it merely prohibits the acquisition of further rights in these forests for any one in future. Section 5 is much more drastic. Section 5 allows the area within a forest which is closed to grazing to be closed to this extent, that even existing grazing is forbidden. Persons who have rights of grazing in the forest are given a certain amount of compensation and their rights are extinguished. The honourable member for Hoshiarpur, in the latter part of his speech inquired if Government had spent any money. Government has paid compensation in certain cases in section 5 areas and having paid that compensation, rights were bought out and the provisions of section 5 applied. In the course of my tour with Pandit Nanak Chand and the Deputy Commissioner, I went over these forests and saw a marked difference between the areas administered under section 5 and section 4. Section 4 areas were hardly distinguishable from the areas which were not within the purview of the Chos Act at all. Section 5 areas were on the other hand remarkable for the extent to which the forest growths had grown up. They really looked very promising. My honourable friend Pandit

Nanak Chand has pointed to what was the state of affairs on the north-east facing side of the Katardhar range where the Act is not in force, where the forest growth is very much thicker than it is even in section 5 area. That was the very reason why it was not necessary to apply the Chos Act to that portion of the forest which faces north-east. In consequence of its aspect it gets a great deal more shade than the area to which the Chos Act is applied which faces south-west. As a result of this very favourable position, the forest growth in that north-east facing area has always been very much better than it has been in the south-west facing area, and as a natural consequence the streams going down the north-eastern face have not caused that loss or anything like the damage that is being done by the streams flowing south-west. That, Sir, is the position as we found it about a year or so ago At that time the honourable member for Hoshiarpur raised a protest against the administration of the Chos Act, and in consequence of an undertaking given to him a committee was appointed to examine the whole question of the chos and to make such suggestions as they thought necessary for the more efficient working of the Act. That committee, I think, spent one year or 8 months in its inquiries, and it submitted a valuable and interesting report and on that report Government at once took action. One of the matters mentioned in the report was the question of the corruption of forest guards. I am not going to say whether that evil exists or not, but I will say this that there were complaints about it. The forest guard by his position was placed in authority and people undoubtedly resented his use of that authority. Whether some of them submitted to temptation or not I cannot say. There was a definite opinion of the Committee that they occasionally did. What was recommended by the Committee was that instead of forest guards, we should have forest chaukidars—appointed in almost exactly the same way as the ordinary village chaukidar—who would be at the beck and call of the people of the village in the same way as the village chaukidar. He was to be the servant of the village community so that he would not be in a position to oppress them but would only help them to enforce the provisions of the Act. That was the recommendation of the Committee. The Committee also said that if this was done the people would be so pleased with the arrangement that they would be prepared themselves to bear the full cost of these forest chaukidars. What was the result? Government at once accepted the suggestion to appoint the forest chaukidars, but it went further and it said that the people should not have to pay for them. It was decided that Government should pay for those chaukidars. That is to say, Government in its orders has gone even further than the suggestion made by the committee of inquiry.

Then, Sir, another matter was discussed as to how encouragement should be given to the people to help themselves in the matter of forest growth and to induce them to take their own steps to prevent damage. What Pandit Nanak Chand has said is quite true. I saw certain areas where the chos were extraordinarily well demarcated and restricted by people themselves. They have sown their trees and sarkanda grass, and if we could get all the villages to do likewise it would be a very good thing, and I quite agree that something should be done to encourage people to do these things. But what have we done? Government has decided that wherever people will grow trees or sarkanda grass and in this way protect themselves from their own chos, Government will give a remission of land revenue, and that the amount of land revenue remitted will be the average incidence of land

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revenue on the cultivated land of that particular village. I need not tell members of this Council that cho land is not assessed to land revenue at all, it is for the most part *ghair-mumkin* sand. Nevertheless, though Government derives no land revenue from the particular area under a cho if the people will cultivate that particular area and grow on it sarkanda grass and trees and thus for themselves reclaim it, Government will show its appreciation of that act on the part of the people by giving them acre per acre remission on cultivated land. That is a very considerable concession.

Let us go further and see what is being done in the hills. My friend said that hitherto nothing has been been done. Again I am afraid, I must to a certain extent agree with him. We have not done as much as we should have done in the past to encourage the people to grow trees. That point was not brought up before the Enquiry Committee. It was brought up before Government and the orders issued are these, that if the people will themselves enclose and protect from being grazed any area which is under this Act, if they will themselves look after it, then also they will receive compensation in the shape of a remission of land revenue, not acre per acre, because that would be unfair, but they would get a remission of land revenue in proportion to the area which they have protected from grazing. That again is a great concession. Again, if the people will go still further, if besides protecting a particular forest area, they will arrange to sow *sanatha* which is a plant which does not grow to a great height but which has a great advantage that goats and other animals will not eat it, which is therefore not valuable for grazing purposes and therefore is not likely to be cut or damaged or grazed over, if they grow *sanatha* on certain areas, then for the whole area which is put under *sanatha* they will acre for acre receive a remission of land revenue. Those are, I hope my friend Pandit Nanak Chand will agree with me, definite steps towards the encouragement of the people in the matter of the working of the Chos Act.

Pandit Nanak Chand: Might I just ask one question? Are these concessions already given in your Settlement Report?

Mr. C. M. King: No, they were not originally given. The provisions in the Standing Orders had reference not to cases like these but to the growth of roadside trees. The rules regarding roadside trees have been applied to these special plantations. They were not so used before.

I think that the action that Government has taken so far or is taking has in it the promise of future betterment, and I think that it would be a great mistake when this new policy has been started to change it for one of placing the whole area under many small committees. There is no reason at all why the members of village communities should not themselves join together and even now watch over their own interests. There is no reason why Government should take a hand in the appointment of those committees. I think that the people should be left to do that for themselves. All that Government should do in the matter is to say: if you take such and such an action we shall give you such and such compensation.

Pandit Nanak Chand in the course of his speech referred to the Sohan stream as a cho. I think he must be under the impression that the Chos Act affects the Sohan stream in some way. It does not affect it. The Sohan stream runs between the hills to the north-east of the Katarihar. The

hill side which slopes to the Sohan stream from the Katardhar is much more afforested than that part of the hill side which slopes down to the plains of the Hoshiarpur and Jullundur districts, and the Sohan and the adjacent hill side are not under the Chos Act. But Pandit Nanak Chand has brought in the Sohan stream and has made various suggestions as to what should be done there. He suggested that a bridge or bridges should be built across the stream so as to prevent the loss of life, and the loss of cattle which occasionally occur. I believe that this loss of life and loss of cattle is very rare, but quite apart from that, the Sohan stream is ordinarily a tiny trickle of water which only occasionally comes down in heavy flood. Therefore the making of a single bridge would be a very small remedy. You will have not only to make one bridge but many bridges. As to the cost, although the stream is very small, when it comes to making a bridge the cost will be very great. I was told by an Engineer that it would come to about 20 lakhs. Think what the cost would be of having many such bridges at short distances from each other. Then said Pandit Nanak Chand: If you do not have bridges why not have iron stakes with chains on them right across the river? That also was an idea at one time, but it was decided that it would be useless for this reason that the bed of the stream, as those who know the stream know, consists of shifting quicksand, and the path that is safe for this week may be very dangerous next week.

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What the villagers usually do is, as soon as they find a proper path for them to cross the stream they mark it with reeds right across to indicate the safe way of crossing the stream. That is the ordinary method of providing a safe passage across the stream, and that I think is the best method.

Then, Sir, there was the question by Pandit Nanak Chand, 'What has the Government done with regard to the chos themselves?' We have done a great deal and with very satisfactory results. I will read some figures. The amount of sand covered area in Maili cho was 2,696 acres in the year 1884, that is, before the Chos Act was in force, about twenty years before. A special jamabandi was made in 1900, the area under sand was then found to be 2,849 acres. In 1911-12 statistics were again compiled and the area under sand was 2,425 acres, not a very great decrease. In 1922-23 the area under sand was reduced to 1,647, that is, two-thirds of what it was before. That is a result, Sir, on which we can congratulate ourselves. I have figures for other chos also, but will not read them. I will only say that wherever anything like this restrictive action has been taken great good has resulted. There is one particular cho, the Dilbahao cho where the result has been so good that in consequence of the recommendations made it has been decided to go a step further. The velocity of water in that cho has been reduced to this extent that we can safely contemplate the possibility of putting in draining works which we can hope will not be instantly swept away. An officer is surveying the cho and drawing up a scheme. I have no doubt that he will submit his report very shortly as to what is to be done so as to restrict still further the ravages of this cho. That, Sir, is the position with respect to the action taken by Government.

Now, there comes the question of the Chos Act. Pandit Nanak Chand is very much displeased at the small nature of the amendments proposed to be made. I can only answer that if he is displeased with the Bill that is before the Select Committee, he may bring forward his own amendment to that Bill.

Diwan Bahadur Raja Narendra Nath: The Financial Commissioner has not referred to the alternative scheme, that was discussed the other day.

Mr. C. M. King: I have no alternative scheme. I went very carefully through Pandit Nanak Chand's speech, and I do not see any alternative scheme mentioned therein.

Diwan Bahadur Raja Narendra Nath: Not by him.

Mr. C. M. King: Perhaps the Raja Sahib, the honourable member for the Punjab Landholders and a former Deputy Commissioner, will himself tell us all about it.

Diwan Bahadur Raja Narendra Nath: Dr. Narang will give the alternative scheme.

Dr. Gokul Chand Narang [North-West Towns (Non-Muhammadan Urban)]: Sir on this subject I think the best qualified persons to speak are the Honourable the Financial Commissioner himself and the honourable mover of this motion and perhaps the other gentlemen representing Hoshiarpur. I am only a hearsay witness, if I may so describe myself, because my knowledge of this cho-broken tract is very superficial, and is mostly based on what I have heard from Pandit Nanak Chand and what I have gathered from the speeches made in this Council. I have visited Hoshiarpur two or three times, but unfortunately those places which are affected by these chos particularly are at some distance from the place I visited, and therefore I do not possess first-hand knowledge. The real difficulty that I have been able to see is that a considerable area of the Hoshiarpur district is affected by the inundation from the Siwalik slopes and there is no satisfactory drain to take away the water which comes down in torrents from those hills. Some efforts, as I have been able to see, have been made to check the impetuosity, the velocity of these hill torrents, but so far it seems no satisfactory solution has been found. Pandit Nanak Chand has been making various suggestions, but it seems those suggestions have been falling rather flat upon the authorities concerned. The real solution that I can suggest, if I may venture to do so, is that a committee of experts may be appointed to go into the whole question, and if possible to see that the people who are particularly affected by these inundations are given compensation in kind out of the Crown lands of which there is now plenty and which are at the disposal of the Government. I expect that the Honourable Minister for Agriculture would, with his usual zeal and generosity and fellow-feeling for his fellow agriculturists, take the trouble of paying a personal visit to those parts and do something on the line that I have suggested. So far as I am concerned my experience is that this is only one of the many things which are put before the Government and which are turned down, and in fact this is not only my experience in this Council, but it seems that has been the experience of people in every place. Friends who have been in this Council have been making various suggestions and proposals, but not many of them have been carried out. It is not of course the occasion to discuss other things which were proposed and which were hotly discussed but were not carried out, but the impression made upon the minds of the people who had the hardihood to make these proposals and suggestions and had to face defeats either in the form of resolutions being defeated or being compelled to withdraw them is that it is almost absolutely useless to make any such proposal and even to take any active part in any of these discussions.

It is in consequence of this, Sir, that as might have been anticipated, the Swarajist members of this Council have decided not to take any part in to-day's debate. They would withdraw from the Council in accordance with the decision of the Swarajist party of the Legislative Assembly which has been called upon to take this step as a protest against the failure of the Government to make a suitable response to the national demand for satisfactory reform. Considering, however, the peculiar circumstances of this province and the pledges given by them—(*A voice : On a point of order, Sir*).

Mr. President : Order, order. Will the honourable member please speak to the question before the Council?

Dr. Gokul Chand Narang : Yes, Sir, I am submitting reasons why a further discussion of this subject and other subjects would be useless and unnecessary. If it is the motive of the honourable objector on that side to save the time of the Council, certainly the best thing that he can do is to allow me to proceed, because if we stay here we shall certainly take much more time than I would take now. Therefore, Sir, I would submit that while we reserve our right to attend this Council whenever we think our presence necessary in the interests of justice and fair play and to safeguard the national interests we have decided to walk out from this Council to-day in accordance with the decision of our colleagues in the Legislative Assembly. As I have submitted we reserve the right to come here unless we are expressly directed by the special committee of the All-India Congress Committee and by our constituencies not to attend the Council and not to take any part in the Council proceedings. With these remarks and without wasting any further time of the Council we beg to take leave.

(*At this stage the Swarajist members of the Council left the Council Chamber.*)

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] (Urdu) : Sir, although my colleagues and I myself do not belong to the Swarajist party, yet in response to the national demand of the Indian National Congress, we have decided not to participate in the deliberations of this Council to-day.

Mr. President : Order, order please. There is no such question under discussion before the House. The honourable member will please remember that it is the Government business that is under discussion. I hope the honourable member will speak on the question before the House.

Rana Firoz-ud-Din Khan : I bow to your ruling, Sir (then continued in Urdu) I had no intention to take much of the time of the Council to-day otherwise it was not a difficult matter for me to put my point in a way in which it would have appeared quite relevant to the question under discussion. Sir, we have often discussed this question on the floor of this House and proposed many things in this connection, but all in vain. Sir, it is not once or twice but on all occasions that we have noticed the die-hard attitude of the Government blocks of the various legislatures in India. Keeping in view this attitude of Government blocks the Swarajist party of the Legislative Assembly has decided that the Swarajist members of all the legislatures in India should walk out of their respective legislatures as a mark of protest against the haughtiness of the Government blocks. We are not Swarajists but at the same time we must bow before our national behests and are in full agreement with the national demands put forward by the Swarajist and Independent members of the Assembly. So out of sympathy with our

[Rana Firoz-ud-din Khan.]

Swarajist friends, as well as to mark our protest against the adamantine attitude of the Government towards the national demands we have decided to withdraw from the Council for to-day. Sir, it is not the Swarajists alone who have decided to protest in this way but even some of the Independents of the Legislative Assembly have also decided to follow their example. Therefore, Sir, we beg leave to walk out of the Council.

(*The Khilafat Members then left the Council Chamber.*)

The Honourable Sardar Jogendra Singh (Minister for Agriculture) : There is just one point raised by the honourable member for Hoshiarpur regarding which I wish to draw the attention of the House. I have been interested in this question of chos, not exactly here, but in the United Provinces. The chos are really natural drains for the hill torrents, and as the hill torrents come down they do inundate lands and destroy fields and crops. In the United Provinces, the only remedy that has been found is afforestation, and there is no other remedy which can be applied. Afforestation must be carried out by private individuals and companies or the Forest Department. That is the only possible way of protecting the lands from chos. I do not know what the conditions in Hoshiarpur are, but I intend going there and seeing how the things stand. In any case, the only possible way is co-operation between the people of the districts and the Forest department in planting trees all around the chos. If you do that, you can greatly control the hill torrents from destroying lands ; till this co-operation is forthcoming, I do not know if there is any use discussing policy or plans which cannot be effectively carried out. I would ask my honourable friend the member for Hoshiarpur to work for this co-operation between the Forest department and the people whose lands are affected by these chos.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders General) : Sir, I do not want to say much. I have some experience of administering the Chos Act as Deputy Commissioner, and I know that people grumble very much and are put to very considerable trouble, inconvenience and hardship on account of being stopped from grazing their cattle on the hills. A committee of experts was appointed before the Chos Act was passed, and that committee came to the conclusion that the only possible remedy was to devise a scheme of afforestation for the neighbouring hills. The only thing that I have got to say on this question is that the Act has been in operation for over twenty-five years and full opportunity has been given for putting the scheme in operation and working it to a success, but no marked results have followed. I do not know whether I am permitted to say something about what took place in the land revenue committee, but I trust I would not be violating any rule if I say that I was shown a map of certain chos which were nearly reclaimed. The area under the chos in the Hoshiarpur district is very large and the progress that has been made has been very slow and gradual. The question is whether there are any alternative schemes. Some alternative schemes were also discussed and I am unable to refer to them. I cannot describe them because I have no personal experience of them. It is said that in Ambala district another method was tried. In Pabbi hills in Gujrat district some other method is being tried, but the opinion of the experts is that neither of these two contrivances which are in operation in Ambala and Gujrat districts is so effective as the experiment that is being tried in Hoshiarpur district. All that I have got to say is that the experiment which has been made for the past 25 years has not produced any marked results. Is there any other

alternative plan? Can we expropriate the owners of the hills and can they be given lands on some of the new perennial canals so that we may take their present lands and guard the forests ourselves? Perhaps it is the imperfect guarding of the hills which is the cause of such slow progress. How long are we going to keep the people waiting for these chos? The results achieved by the present method are not manifest. The whole matter requires careful reconsideration. The people are put to very great inconvenience and no rapid progress is made, and therefore it is necessary that something more should be done to relieve the people of their distress.

Mr. President: Grant under discussion, motion moved :—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 7,160—total pay of establishment Re-afforestation (including chos areas)."

The question is that that motion be adopted.

The motion was lost.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, I am very thankful to the Senior Secretary to Financial Commissioners for having directed my attention to the mistake or misprint in the list of motions. The amount that I want to reduce is not two lakhs, but Rs. 20,000. The letter which was addressed to me by the Senior Financial Secretary. . . .

Pandit Nanak Chand: Can the honourable member speak on the motion without moving the amendment? We do not know what he is discussing.

Mr. President: In the case of resolutions, a member has first to move the resolution and then make a speech, Article 107 (1) (*b*). But there is no such Standing Order or rule with regard to motions other than resolutions. Therefore the honourable member will be in order if he made a speech first and then moved the motion.

Sayad Muhammad Husain: In his letter addressed to me the Senior Secretary to Financial Commissioners says :

"You do not specify the reasons for this proposal. . . ."

Mr. C. M. King: That is a private letter, and I do not think the honourable member is entitled to read out private information to the public.

Sayad Muhammad Husain: I am very sorry. If the letter is intended to be treated private, I beg the honourable member's pardon for having read out a portion. In the memorandum issued by the Finance Department it is stated :

"The conditions in Isa Khel are different. There has been very little expansion of cultivation, the area is much broken up and the level of prosperity is lower than in Mianwali."

If I exactly remember, a verbal assurance was given to me that in view of the poor condition of the people settlement in Isa Khel will not be proceeded with. The proceedings of the Finance Committee are confidential, and therefore I cannot divulge anything that transpired there, but I will give this much of hint, namely, that there also it was not thought proper to proceed with the settlement operations. I think if that assurance can be given to me on the floor of this House by the Financial Commissioner or by the Honourable the Revenue Member, I shall withdraw my amendment. With these few words I resume my seat.

Pandit Nanak Chand : The honourable member has not even moved his amendment, and as such how can he withdraw his amendment ?

Sayad Muhammad Husain : Sir, I beg. . . .

Mr. President : The honourable member having resumed his seat without moving his motion, the Chair cannot allow him to rise again and move it.

Sayad Muhammad Husain : [Montgomery (Muhammadan), Rural] : Sir, I beg to move :

"That the grant be reduced by Re. 1 with respect to the item of Rs. 4,18,800—Survey and Settlement Parties."

Sir, I am going to discuss the settlement policy of the Government and to demonstrate—just as a few honourable friends of mine have just now demonstrated by their action in walking out of this House—that the reforms are unworkable. They, as non-co-operators, have demonstrated the hollowness of the reforms by walking out of this House and I as a co-operator of the Government who has been working these unworkable reforms for the last five years am going to show how this is all a mere sham, and there is really no power conceded to this House. I now see that the House is very much deplete. It is possible that some honourable members have not come simply to give effect to the same demonstration which has been given by my honourable friends belonging to the Swaraj fold. I think that those who are present in this House now will be at one with me if I say that their views also just coincide with mine when I say that the reforms are unworkable and we have been working the unworkable constitution. We are quite surprised and disappointed by what has been stated by His Excellency the Governor-General when he appealed to us to work this unworkable system. Over and over again the people in this country have been crying hoarse that the reforms are a sham, merely a shadow with no reality and they have all along been asking for something real, something substantial and something tangible. We want nothing short of provincial autonomy. From the way in which the settlement operations are conducted I am going to prove that the House is given no real power in the control of the administration of the province. Before proceeding to discuss the cut of one rupee, I wish to tell the House that I have been authorised by the zamindar members to say that we do not want these unworkable reforms. Take them away if you like, but if you want to give anything substantial to the province, let it be nothing short of complete provincial autonomy. We, Hindus and Muhammadans, Sikhs and Christians, urban and rural people, agriculturists and non-agriculturists all alike with one voice demand that we shall not rest content with anything less than provincial autonomy.

Mr. President : Will the honourable member please speak to the question raised by him by moving his motion, namely, the settlement policy of the Government ?

Sayad Muhammad Husain : I am only raising this question to show from the settlement policy which the Government pursues how unworkable the reforms are. From the settlement policy followed by Government for the last five years, we have been led to conclude that unless land revenue and irrigation are transferred, the people of this province cannot derive

any real benefit by the introduction of the reforms (Hear, hear). I will tell the House what the settlement policy of the Government has been. The settlement policy of the Government has been in the past and present one of exploitation, it has been one of taking the last blood out of the veins of the poor peasantry in the Punjab. I shall give you, Sir, some examples to prove that. According to the law, revisions are allowed even after the assessment report has been written by the Settlement Officer. A pamphlet in Urdu is circulated for the information of zamindars and they are entitled under the present Act to raise any objections which they might like and submit them either to the Settlement Officer or to the Commissioner who will write his review upon that and then the Financial Commissioner with the previous orders of Government passes his orders thereon. First of all I beg to submit that the zamindars are all illiterate and very few of them take advantage of the benefits offered to them. I will tell you the case of a few tahsils which took advantage of that provision and laid their legitimate grievances before the Settlement Officer. What has been the result? The settlement proceedings of the tahsils of Hafizabad and Wazirabad were started with the express promise of the Government that revenue will be reduced to relieve the people. The Honourable the Financial Commissioner in his speech delivered on the 24th of October 1923 had kindly stated that—

> "While thus on the one hand we anticipate a very great increase of revenue, on the other, we anticipate a fall also. If therefore the House refuses us this grant we shall not only not be allowed to obtain an increase in revenue, unless other means are adopted, but we shall also be precluded from giving relief to a large body of persons who are deserving of relief."

This fact was fully realised at the time when orders were passed on the last settlement, and it was for that reason that a short term settlement was sanctioned. After reading the undertaking one thought that the settlement was really for the good of the people. But the result was just the opposite.

Waterlogging has been threatening the Wazirabad tahsil, and has completely overwhelmed the Hafizabad tahsil. Instead of the promised relief the Settlement Officer in his assessment report has proposed an increase from Rs. 1-12-0 to Rs. 2-10-0 per acre. Besides the assessment had been changed from matured to sown area. In the Wazirabad tahsil the increase was still higher. Objections were raised before the Commissioner, the Financial Commissioner and a reference was made to His Excellency who very kindly asked the Honourable Revenue Member and the Financial Commissioner to proceed to the tahsils and listen to the objections on the spot. The indignant people assembled in thousands to lay their objections against the proposals of the Settlement Officer. They pleaded their incapacity to pay such a harsh assessment. The Honourable Revenue Member and the Financial Commissioner were impressed with the harshness of the assessment and the misery of the people, but they both handed over the charge to their successors without writing anything, and I hear the fate of the two tahsils is sealed for ever. The proposals of the Settlement Officer have been accepted by Government. How I wish this were wrong! This is the law, and this is the settlement policy of Government. The Land Revenue Bill cannot mould it and the Council cannot control it. Therefore the reforms are abortive.

Sayad Muhammad Husain.]

In the tahsil of Bhakkar the rates are proposed to be raised from six annas to one rupee per acre in the teeth of all opposition, and in the face of the poverty and misery of the people. According to the provisions of the new Land Revenue Bill they could not have raised it to more than nine annas per acre, but the provisions of the Bill will be so moulded as to justify the increase. So much for the present, now for the past. In the Kot Adu tahsil of the Muzaffargarh district working on the basis of 33 per cent. increase the Settlement Officer proposed an increase of 12 per cent. The Commissioner in his review observed that no increase is justified. The Financial Commissioner with the sanction of Government gave orders for an increase of 26 per cent.

Now, Sir, which of the three was right? The Council had no control over the matter. The Legislative Council of Madras rejected the Land Revenue Bill when Government removed the provision of the Legislative Council's control over the settlement. This is the settlement policy and this is the power vested in us. Can Government boast of the Reforms under the circumstances? Until land revenue and irrigation are transferred subjects, Reforms are meaningless. Where is the harm if land revenue and the most popular department of irrigation were transferred subjects? These are the remarks of all the zamindars who are at one with me and who have expressed their feelings. They say, 'Show mercy to us'. This Land Revenue Bill which is the outcome of the deliberations of the Joint Committee of both the House of Commons and the House of Lords really serves no purpose without legislative control.

I shall cite another example of the vagary of law. The assessment of Dipalpur and Pakpattan was made by Nawab Muhammad Hayat Khan. It was a heavy assessment and the people protested against its being intolerable. A compromise was effected by my friend Sardar Bahadur Sardar Sundar Singh to the effect, "Never mind now; if you pay this, a time will come on years hence when you will be perennially irrigated and you will get something better".

Now, Sir, here is an order of Government issued by Mr. C. A. Barron, Financial Commissioner in which he recognises that Government according to law cannot enhance the land revenue. He therefore says "to make up for the deficiency in the land revenue it will be necessary for Government as a temporary measure"—that is until the time comes for re-assessment—"to take an *abiana* on all proprietary lands higher than that normally leviable and to postpone the attempt to readjust the land revenue till next settlement." Is this the law, Sir, that you are going to give us? We have no say whatsoever. This is the order of the Governor in Council which I have quoted. . . .

The Honourable Mian Sir Fazl-i-Husain: What is the honourable member reading from? I cannot follow him.

Sayad Muhammad Husain: I am reading from the order of the Governor in Council on the Colonisation of the Nili Bar It is a printed letter from Mr. C. A. Barron, Financial Commissioner and Secretary to Government, Development Department, to the Commissioner, Multan Division, dated the 21st January 1926. . . .

The Honourable Mian Sir Fazl-i-Husain: I simply wanted to know this much. I understand the honourable member to say that he is reading from a document which purports to be sent by an honourable member of this Council. Will the honourable member tell me whether it is a genuine copy of the document and if so, wherefrom he got the copy?

Sayad Muhammad Husain: It is a printed copy.

The Honourable Mian Sir Fazl-i-Husain: Is it one of the papers that were circulated to the honourable member?

Sayad Muhammad Husain: It is a printed copy and not a confidential document.

Mr. President: I do not think it is within the jurisdiction of the Chair to call upon an honourable member who reads a document to satisfy the House as to where he got the document from. All that the Chair can ask him to do is to lay the document on the table so that it may be accessible to general inspection.

*(Sayad Muhammad Husain then laid the copy of the document on the table.)**

Sayad Muhammad Husain: Now, Sir, this is the settlement policy which I have discussed and the Council can draw its own conclusions from it. I have full confidence in the Honourable Revenue Member that he will popularise this department. I have full faith in the Financial Commissioner that he will give relief to those people who want it. I therefore request that with your sense of responsibility you will reduce the land revenue of at least Wazirabad and Hafizabad and do justice to the people there (Hear, hear).

The Honourable Mian Sir Fazl-i-Husain: Does the honourable member want this document to become part of the record of to-day's proceedings?

Sayad Muhammad Husain: It is already incorporated in my speech.

The Honourable Mian Sir Fazl-i-Husain: The honourable member must note that if it happens to be a document which is of a confidential nature then by making it a part of to-day's proceedings he is incurring a certain amount of responsibility in the matter.

Sayad Muhammad Husain: The document is not marked confidential.

Mr. President: Had this official document been read or used by a member of Government and were he to object to its production in the public interests he would have been justified to do so. But as the document has been introduced by a non-official member he may be asked to lay it on the table so that it may be accessible to the whole House.

Pandit Nanak Chand: The document is not confidential because it is not so marked on it.

Mr. President: Grant under discussion, motion moved—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 4,18,800—Survey and Settlement Parties".

The question is that that motion be adopted.

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* Not printed.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I am at a certain disadvantage when speaking on this reduction inasmuch as the honourable member who moved this amendment has been dealing with so many subjects during the course of his speech that it was not very easy to follow him. As much of the speech as I have been able to follow, and which refers to this reduction, that is to say, the settlement policy of the Punjab Government, I will try to meet.

The honourable member first referred to the promise made by the Honourable the Financial Commissioner in the year 1923 in the month of October with reference to the settlement operations to be carried on in Wazirabad and Hafizabad tahsils. These are the tahsils which have been engaging the attention of this Government for several months past as a great deal of waterlogging appeared in the Hafizabad tahsil. We have also been studying very carefully the problem in Gujranwala tahsil. I believe that there are very few members of the Council who are better acquainted with the efforts that the Government has been making in curing this curse of waterlogging than the honourable member who has just sat down. He realises as no other non-official member has had the opportunities of realising that in the matter of the settlement of these tahsils the one concern of the Settlement Officer has been to give relief to those whose lands have fallen victim to the disease of waterlogging. I can assure the House, Sir, that every effort has been made to redeem the pledge that the honourable the Financial Commissioner gave in 1923. The reports of the Settlement Officer have been received, but no orders of Government have yet been passed.

Sayad Muhammad Husain : On Wazirabad too ? (Hear, hear and cheers.)

The Honourable Mian Sir Fazl-i-Husain : Yes. The honourable member's attempt at trying to elicit information on the subject which is still under consideration may appear commendable to some, but I would not encourage it. These two tahsils along with Gujranwala tahsil, have been constantly in my mind. (Hear, hear.) Government may adopt measures to reduce suffering even so far as to compensate people who really deserve compensation and to reallocate the burden of land revenue so that those who can bear it may be made to bear it and those who cannot bear it may be relieved of it. That is the policy which should govern the settlement reports of these two tahsils, and I trust orders of Government will be passed on this principle, and this Council considers this principle absolutely unexceptionable.

The honourable member then referred to the case of Bhakkar. That again is one of the cases which are under consideration. It is far too early yet to say that the orders that will be passed are likely to be prejudicial to the best interests of the people concerned.

4 P.M.

The honourable member said a good deal about Muzaffargarh. I am surprised that the honourable member was quite oblivious of the great discussion that took place in this Council on Muzaffargarh and which ended on my making a statement that Government has decided to appoint a committee to go into all these matters—a committee of expert administrators, experts in canals, experts in co-operation and so on. Sir, it is all very well to repeat the word : co-operation, co-operation, co-operation, but let me point out that the duty of the honourable member and of the House

does not consist in repeating the word co-operation. As a matter of fact, I would have expected from every member of this House when discussing the question of Muzaffargarh to have referred to that debate and to have acknowledged what the Government at that time promised to do—a thing which could not be improved upon by any non-official member of the House, that is to say, readiness to appoint a committee to go into the whole question and do what is humanly possible to be done for the district.

Sayad Muhammad Husain : We are very thankful to the Government.

The Honourable Mian Sir Fazl-i-Husain : It is all very well to say that we are very thankful to the Government. But to raise a discussion, to begin to criticise and to slash at Government with reference to a definite problem without referring to the measures already taken in seeking a solution of that problem is not commendable. Government does not ask for gratitude; whatever is attempted for the good of the people is its own reward, and measures for the good of the people will be conceived, adopted and pushed, for it is our duty to do so, and not to earn thanks. But, I assure you, Sir, that it is not right to import into these debates and discussions vague general attacks in preference to responsible criticism, responsible talk, responsible recognition of the measures already adopted. I would be very glad indeed to be advised by the honourable members of this House in the discharge of the onerous duties appertaining to this office, and I would welcome criticism. The legislatures are in fact meant for the purpose of exercising healthy control over their Government, and over the members of Government, but only those can exercise that control, that healthy control, which is for the betterment of the province, who exercise their discretion in pointing out the mistakes in acknowledging what has been done before and making constructive suggestions for the benefit of the Government and for the benefit of the people. But simply a long rigmarole tirade which begins nowhere, which ends nowhere, can be of no use either to this House or to the Government. As for the Land Revenue Bill to which reference has been made, it is still only a Bill. You will remember, Sir, very well that a large Select Committee has been appointed to go into that Bill and to report to this House. Is there any use now trying to discuss the provisions of this Bill when it has been committed to the care of a committee of this House? What advantage can be secured by this House by referring to that Bill when discussing this amendment. I submit that the settlement policy of this Government is so attuned as not to place burden on one not fully able to bear it, and yet at the same time every effort is made that the burden be placed on the right shoulders so that it may not get on to the weak shoulders. I trust again that that is the principle which the Council would like the revenue department to follow in all their new assessments or in coming to decisions on such representations as may be put before them. I trust that the general statement of the policy that has been made will meet with the approval if not of the honourable mover of this amendment, at all events of this House.

Now, Sir, as to the document from which some portions were read by the honourable member, this is what was taken from that document :

> " To make up for the deficiency in land revenue, it will be necessary for Government as a temporary measure to take an *abiana* on all proprietary lands higher than normally leviable and to postpone the attempt to readjust land revenue till next settlement ".

[Hon. Mian Sir Fazl-i-Husain.]

I really fail to see what particular objection he has against this course being adopted. I do not want to extract from the honourable member information as to wherefrom he got this printed document. It is obvious that he has obtained it from some office of Government. Well, let me leave him at that. Does my honourable friend object to what is contained in this document as to the way in which the Nili Bar is going to be colonised? That is not the point which is under discussion now. I have not yet seen the relevancy of this matter so far as this amendment is concerned. I understand he has tabled another amendment as to the colonisation of Nili Bar When that time comes, if he has any constructive criticism to offer, I will be very glad indeed to avail myself of it. Let me, however, point out that this order is not final in the sense that it cannot be altered, amended or improved. Such orders are not made public, but are treated as confidential documents because such orders may raise hopes, engender fears, create expectations which subsequent alterations in the orders may frustrate altogether. These people might say: we thought this was final, therefore we did this thing and that thing. It is in order to obviate such occurrences that these documents are always treated as confidential. It is for you, Sir, to decide whether in view of what I have stated to treat this document as confidential or not although the honourable member, without carefully thinking over the matter read a portion of it, yet I think it should be treated as confidential and not made part of the record of the Legislative Council.

Mr. President: As to whether the whole of the document in question should form part of the proceedings, I will decide later after reading the document.

Mir Maqbool Mahmood: I move —

"That the question be now put."

Mr. C. M. King: I want to make one correction, before the question is put. The honourable member said that the increase in Muzaffargarh was 42 per cent.

Sayad Muhammad Husain: I referred to Kot Adu.

Mr. C. M. King: The only increase in Muzaffargarh is 14 per cent, in Kot Adu it is 26 per cent. and in Leiah it is 26 per cent.; how my honourable friend got the figures, I am quite unable to understand.

Sayad Muhammad Husain: I wish to reply, Sir.

Mr. C. M. King: The honourable member has no right of reply.

Mr. President: I wish to point out for the information of the House that the honourable member is entitled to reply. Therefore, I allow Sayad Muhammad Husain to reply to the debate.

The Honourable Mian Sir Fazl-i-Husain: I understand that the practice in the past years has been that the mover of an amendment in the demands for grants has no right of reply.

Mr. President: I am not sure whether there is not some misunderstanding. Strictly speaking, amendments to demands are regular motions and not amendments. Even if they are treated as amendments, these are of two kinds, formal and substantive. In the case of a substantive amendment the mover has a right of reply, but not in the case of a formal amendment: now amendments to demands are clearly substantive and not merely formal. Therefore there is a right of reply.

Sayad Muhammad Husain: Sir, the honourable the Revenue Member characterised me as an irresponsible member giving vent to

the grievances of Muzaffargarh without acknowledging the good done by the Government. I never minimised the efforts of the Honourable the Revenue Member or the efforts of the Government relating to this district. That question does not at all arise. I was very thankful to the Government, and in fact I withdrew my resolution when the Government had given the information that they were going to appoint a committee including Mr. Anderson. I liked the personnel of the committee. Under these circumstances to say that I have minimised the efforts of the Government is really something which I do not deserve. I said then, I say now, that the whole country will be satisfied when the committee sends their recommendations to the Government to be placed before this House. That is not the point under discussion. The question that I was discussing was the relevancy of the settlement policy. I wish to impress upon the Government the fact that this House must be the final arbiter and the sole judge as to the assessment and taxation of any tahsil or any district. If the House, that is the representatives of the people, have no final say in the matter, how is it possible to say whether the report of the Settlement Officer is correct, whether the review of the Commissioner is correct or whether the final orders passed by the Government are correct. To illustrate my point, I was taking the case of Muzaffargarh district. I was merely discussing the settlement policy of the Government by reinforcing my arguments with the concrete example of Muzaffargarh, and I am at a loss to understand why the Honourable the Revenue Member should have deemed fit to pour the vials of his wrath on my devoted head. He accused me that I did not acknowledge the benefits of Government. My answer to that accusation is: let these benefits take a concrete shape, they are only pious promises, they are only on the lips of Government. When the promises are fulfilled then the whole country will assess its worth and appreciate it fully and I, for one, will be very thankful, and even now I am very thankful for the promise given by the Government. When that promise is redeemed in the near future, I will be the first man to praise the Honourable Member for his noble act.

Now, Sir, coming to the document from which I quoted and about which exception was taken: I was asked so many questions as to how I got it, where I got it, from whom I got it. From all these searching questions, I come to the one conclusion that we, the members of the Council who have been sent to this House to safeguard the interests of our constituencies do not form part of the Government. This document is not marked confidential, and if honourable members of this Council are deprived of its use and even if the members of the revenue committee which is the representative of this House are forbidden from having access to documents which formulate the policy of the Government, then why on earth this mockery of having a revenue committee? No information has been given to us about the policy of the colonisation of Nili Bar. Why is the Government so anxious to formulate their policy in such complete secrecy and privacy? I can only come to one conclusion from the attitude of the Government, and that is this that their policy is against the interests of the people and that is why they are afraid to allow themselves to be exposed to the public gaze and to the public criticism. Their policy is such that it cannot bear scrutiny from the representatives of the people. If the Government do not want the co-operation of the people and if they want to prohibit the representatives of the House from taking a due share in the administration of the province, then let the Government boldly come forward and say so in so

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many words. When an important policy of the Government is hatched in secret, it is the legitimate duty of the House to wake up to unravel the policy before it is too late. The Government, if they were really anxious to take the peoples' representatives into their confidence, ought to have circulated this document to this House and welcomed the criticism of the members. The Government should have gladly availed themselves of the valuable advice which the House may have given in the matter. The invaluable assets of the province, namely, lands to the value of crores of rupees are going to be distributed. It is the right of the people to know from the Government the underlying policy governing the distribution of these lands. It is the inherent right of the House to see that the assets of this province are not frittered away. The Government came to the House for the sanction to raise a loan and loans to the extent of many crores were allowed to be raised. Why should the Government deprive this Council of the opportunity, nay, of the right to enquire and see whether such a big sum amounting to crores is not wasted away by the Government. What is the Government going to do in the colonies?

The Honourable Sir John Maynard: On a point of order, Sir. Is this a debate on the colony or is it a debate on the settlement policy of Government?

Sayad Muhammad Husain: It is for you to decide whether I will be allowed to raise a debate on the colony question.

Mr. President: In any case the honourable member is not in order in making a defence as to how he got the document and where he got it from. This is neither the place nor the time for him to discuss whether the Government ought to have laid it on the table or circulated it. The honourable member might send an interpellation asking the Government to place the document on the table and the Government will then decide whether it will place it on the table or not. However, that matter is not now before the House.

Sayad Muhammad Husain: I have already stated all my objections and the Government has not given any proper answer to them. I am thankful to the Honourable the Revenue Member to learn that the final assessment report of the Hafizabad tahsil has reached the Government. I am very glad that the matter is engaging the consideration of the Government, and in passing favourable orders on that report, I would appeal to the Honourable the Revenue Member to adopt his old mood when he was in charge of the transferred subjects, to adopt his old mood of benevolence and kind heartedness to the people and not adopt the bureaucratic role which he is assuming now.

Mr. President: Grant under discussion, motion moved—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 4,18,800—Survey and Settlement Parties."

The question is that that motion be adopted.

The motion was lost.

Malik Firoz Khan Noon [Shahpur East (Muhammadan), Rural]: Sir, I beg to move—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 4,18,800—Survey and Settlement Parties."

I do not wish to make a long speech. My only object in moving this amendment is that Government should make a public declaration to the effect that they are prepared to enforce the provisions of the Land Revenue Bill in the case of the settlements now in operation. There is nothing repugnant in what I am asking. Government has already accepted those principles by incorporating them in the Bill. With these few words I move my amendment.

Mr. President: Grant under discussion, motion moved—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 4,18,800—Survey and Settlement Parties."

The question is that that motion be adopted.

Lieutenant Sardar Sikandar Hayat Khan [Attock (Muhammadan) Rural]: Sir, I have a very short speech to make. My friend the member from Shahpur has urged that the present settlements should be governed by the provisions of the Land Revenue Bill. What I want is an assurance from the Honourable the Finance Member that the present settlements will not be deprived of the benefits of the Land Revenue Bill. I would ask him to give retrospective effect to that promise which he gave in this Council.

The Honourable Sir John Maynard (Finance Member): Certainly, Sir. I repeat it. The promise was given and it is intended to carry it out. But let us be perfectly clear. My honourable friend Malik Firoz Khan Noon spoke about applying it to all settlements now in operation. If that means all settlements in existence from whatever period, then no such promise was given. The promise was that all short term settlements taken up after a particular date would have this new principle applied to them.

Malik Firoz Khan Noon: I beg leave to withdraw my amendment.

The amendment was by leave withdrawn.

Lieutenant Sardar Sikandar Hayat Khan [Attock (Muhammadan), Rural): Sir, I beg to move—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 4,18,800—Survey and Settlement parties."

Sir, the Honourable Finance Member in winding up the debate on the budget discussion said that the cry for decreasing the *abiana* was a cry of the rich and not of the poor. Sir, to-day I stand up to make a cry for the poor. I hope that it will meet the consideration that it deserves. The Honourable the Finance Member also said at the time:—

"were not those who had to depend on well irrigation, or the rainfall, or on irrigation from inundation canals, deserving of consideration?"

Let us hope that the cry of the poor will not be a cry in the wilderness.

Sir, when I moved my resolution for fixing a maximum of 20 per cent. during the last session of the Council, an assurance was given to me by the Honourable the Revenue Member that subject to 33⅓ per cent. as proposed in the new amendment Bill, Government will also be prepared to consider the conditions of particular tracts and where necessary put the figure even below 33⅓ per cent. Sir, the necessity for this motion has arisen because the declaration of the Honourable the Revenue Member has not been taken in the spirit in which it was meant, as I understood it at the time, by the Settlement Officer in Attock, because I find that in one tahsil alone, the tahsil of Attock, the assessment has been considerably increased for the whole tahsil and in many cases as much as 80 to 110 per cent.

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This is the reason, Sir, why I am moving for this cut. I want to bring it to the notice of Government that the present method adopted by the Settlement Officer in Attock is most inequitable and unjust. Sir, the total amount of revenue before the present assessment for the whole district was Rs. 6,74,359. Out of this, Talagang can be left out as it has been fully assessed by the Settlement Officer by taking one-third net assets. I may incidentally mention that the Settlement Officer has also said that Talagang is one of the poorest tahsils. If we leave out Talagang, the amount for the remaining three tahsils is Rs. 5,14,511. An increase of 33⅓ per cent. on this amount will amount to Rs. 1,71,503. Out of this, the Attock tahsil accounts for Rs. 1,19,503, leaving a balance of 50 thousand odd to be shoved on to Pindigheb and Fatehjang. Thus the Settlement Officer will find himself in a position that instead of assessing these two tahsils on their merits he is confined to only assessing them by 50,000, because he has unduly burdened the Attock tahsil which unfortunately happened to be the first one to be assessed. This 50,000 means an incidence of only 15 per cent. increase instead of the 33⅓ per cent. which is proposed to be the maximum rate under the new amended Land Revenue Bill. I am glad to say that this point came to our notice in time when the Land Revenue Bill is going to the Select Committee, because it shows that the Bill as at present amended gives us no protection or immunity from the vagaries of the Settlement Officer. Allow me to compare the figures of Attock with some of the other districts. I am open to correction by the Financial Commissioner, but I think that my figures as they come from an official source are also correct.

Here are the figures :—

—	Barani.	Chahi.	Irrigated land.
		Rs. A. P.	Rs. A. P.
Mianwali.			
Assessment rate (average) fixed per acre of cultivation.	1 3 0	0 4 0	0 12 6
Average assessment rate fluctuating per acre of crops.	1 3 0	...	1 4 6
Jhang.			
Average assessment rate fixed per acre of cultivation.	1 7 3	0 8 0	—
Average assessment rate fluctuating per acre of crops.	1 4 10	0 8 0	1 15 0
Muzaffargarh.			
Average assessment rate fixed per acre of cultivation.	1 3 0	(Sailab) 1 0 0	1 8 0
Average assessment rate fluctuating per acre of crops—			
1st Class	1 8 0	...	...
2nd Class	1 0 0	...	—
3rd Class	0 6 0	...	...
Montgomery.			
Gugera Tahsil	1 6 0	0 12 0	1 12 0
Montgomery Tahsil	1 7 0	1 8 0	...

Now let us compare these with our own figures—

	Rs.	A.	P.			
Sarvala	7	0	0	...		
Nala	8	0	0	13	0	0
Chach	10	0	0	...		

I beg to submit, Sir, that it is most unjust and unfair that while in other districts where the conditions are analogous the highest rate is Re 1-8-0, we are being assessed at Rs. 7-0-0 on chahi land. Rates which are out of all proportion to the conditions of the district, and as compared with the most fertile districts in the Province.

Now, Sir, as to how the Settlement Officer has come to his conclusions, I will just quote a few instances and figures. I know that the method for selecting plots for experimental purposes has been most unfair and unjust, because in many villages the best plots were taken for experimental purposes instead of the average. During the last sessions, Sir, I informed the House and also made a public acknowledgment of the fact that we were grateful to the Settlement Officer for his taking interest in the zamindars so that we were immune from the harrassments from petty officials and subordinates. But that immunity from harrassment had one unfortunate result and that was that it lulled the zamindars into false security and kept them away from the settlement activities. The subordinates in their turn finding it unprofitable did not consider it worth their while to associate the villagers with them. This belief is strengthened when you see the summary provided by the Settlement Officer and the figures contained therein. The result was that when fields were selected for experimental purposes to compute the yield of crops they chose the best instead of the average quality of land. This was done in some cases to please the superior officers and in others—as we suspect—to get even with the zamindars for giving them the cold shoulder. This belief is strengthened into conviction when we examine the figures published in the summary. The estimated yield of different crops is far in excess of the actual yield per acre. I will quote a few examples. The average yield of *bajra*—which is almost entirely grown in *barani* areas—is estimated at 5 maunds in the *chach* and 4 maunds in *sarwala* and *nulla* tracts, while as a matter of fact the present yield per acre does not exceed 2½ maunds in the best lands of *nulla* and *sarwala*, and may be slightly higher on *chach mairá* land.

Again the average price of sugarcane is computed at Rs. 60 per *kanal* when it should be Rs. 30 at the most. As practically the whole of sugarcane area is in or around Hassanabad, a tract which I know intimately, I can vouch for these figures, and if necessary prove them by the transaction of dealers who trade in sugarcane. I will even go further and say that the owners will undertake to part with sugarcane at a flat rate of Rs. 50 per *kanal* if the Government is prepared to buy at that rate, which is Rs. 10 per *kanal* less than that estimated by the Settlement Officer. Will the Government be prepared to take an offer and thus make an additional Rs. 80 per acre and at the same time give an opportunity to the zamindars to gain Rs. 20 per *kanal* more? Again the price computed by the Settlement Officer gives an average yield in rupees of Rs. 12,000 per square. That is not the price of a square of land, but its produce and yet we are

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asked to consider the Settlement Officer's computations as gospel truth. I hope the Honourable the Revenue Member and the Financial Commissioner will also recognise the absurdity of this fabulous figure.

Then coming to tobacco, the yield and price of tobacco estimated by the Settlement Officer is far in excess of the actuals. Instead of 44 maunds per acre for *chahi* lands in *chach* the average is 32 maunds, while in *nulla* and *sarwala* the yield is considerably less.

Another point we have to note is that the price of Rs. 8 per maund fixed for *nawari* tobacco is pitched very high. According to my information it seldom exceeds Rs. 6 and in most cases is only Rs. 4. The extensive cultivation of tobacco in Mardan districts just beyond the river has brought down the prices considerably and at one time threatened the very existence of the tobacco industry in *chach*. Things have since improved but not to the extent to bring up the level of prices to the old scale and in view of the competition from the other side of the river there is no likelihood of their coming up to the old mark. The figures for other produce are similarly in excess of the actual yield per acre.

Another point which is worthy of note is that the estimates of the yield in the present settlement are identical with those of the last settlement except in the case of tobacco, *chahi* wheat and maize where a considerable increase has been made. It is an admitted fact that the soil is becoming poorer and poorer every year with a consequent decrease in productivity. It is possible to renovate *chahi* lands by manuring, but it is neither practicable nor worth the risk to do so in the case of large *barani* areas. The irrigated area in Attock being only 9 per cent. of the total cultivated area, you can see how far it is justifiable to keep the estimates of yield at the same pitch or to exceed those made 24 years ago; and yet, Sir, this is what has been done in our case.

The other factors which are responsible for the low yield are: the uneconomic size of a considerable number of holdings due to constant fragmentation; increased demand for labour in the towns for industrial purposes, such as the oil-fields in Fatehjang, cement and ballast industries in Attock tahsil which employ a considerable number of men and pay good wages. The proximity of the Grand Trunk Road to the villages in Attock tahsil which has made plying of bullock carts on hire a more profitable source of income than mere cultivation of *barani* lands an occupation which even in more favoured districts is at best a gamble, and is particularly so in Attock where a good *kharif* crop is an exception rather than the rule, and the *rabi* harvest, at its best, is not sufficient to make both ends meet. These and other factors, though admitted by the Settlement Officer, have for some reason or other not been taken into account.

Now, Sir, let us take another set of figures—the cost of production. I am surprised to see that here the Settlement Officer has erred on the other side. Take for instance sugarcane. The cost of manure per *kanal* is computed at Rs. 10, whereas the actual price of 100 *boras* or bags, which is the quantity used per *kanal* is Rs. 12 and an additional sum of Rs. 8 per hundred is paid for conveying it from the village to the field. Thus the total cost of manuring is Rs. 20 per *kanal* and not Rs. 10. Again the price of cane seed is taken at Rs. 7 per *kanal* instead of Rs. 15 calculated at the rates fixed by

the Settlement authorities themselves. No allowance has been made for hoeing and banking, although on an average three hoeings are necessary to ensure a good crop. The Settlement Officer has not taken account of these things so far as the summary given to us is concerned.

The expenditure allowed for other crops is similarly open to question. Take the price of seed allowed for an acre of wheat or maize, Re. 1-7-0 for the former and 13 annas for the latter have been allowed, although according to their own schedule of prices, it should be Re. 3-1-0 for wheat and Re. 1-6-0 for maize. When we take into consideration the well-known fact that a cultivator has invariably to pay more for his seed than what he gets for the same grain, the difference becomes all the more glaring. I do not think I need labour this point any further as I hope I have made it abundantly clear that while on the one hand the prices and yield have been inflated on the other the expenses have been unduly minimised. And yet, Sir, it is on these data that it is sought to saddle us with an unprecedented and crippling increase of 48 to 64 per cent. I submit that these are not by any means the only factors which have been ignored as I will presently show.

Let us examine the incidence of *kharaba* allowed by the Settlement Officer in his summary. The figures for the *barani* area in Attock tahsil show the matured area considerably more than it would be possible even if both the *kharif* and *rabi* harvests were uniformly good. The actual conditions are, however, quite different. A good *kharif* harvest is a rare incident in the district and even in *rabi* a large tract which was suitable for gram only on account of its sandy nature, has been abandoned owing to constant failure of the crop for a period of no less than 15 years as mentioned by the Settlement Officer himself.

Again I think the Financial Commissioner will agree with me that it is unfair to base the figure on this *kharaba*. The *kharaba* figures on which these returns have been based are extremely unreliable. It is a well-known fact, and I believe the honourable the Financial Commissioner will bear me out, that the girdawari entries are made by the patwaries sitting at their patwarkhanas or at a considerable distance from the actual fields which are entered as *kharaba*. They always enter a much smaller percentage of *kharaba* as by doing so there is less risk in case of inspection by a higher official. An average based on such records cannot possibly be relied upon.

Talking of *kharaba*, Sir, it must be borne in mind at the time of assessment that one bad harvest means for the zamindars either starvation or borrowing; and once in debt, it is difficult for him to extricate himself. The severe drought in 1921 told heavily on the district and the loss of cattle was such that a large number of people have not been able, even to this day to get over the difficulty of replacing them. After the drought, it was no uncommon scene in some parts of the district to see women dragging the plough in their efforts to scratch the soil; while in more fortunate cases a human being and a donkey could be seen yoked together. The severity of the drought can be imagined from the fact that those who could afford it and those who owned lands in colony areas sent their cattle to the colonies 200 or 300 miles away in order to save them from perishing. And yet we find no mention of this fact in the summary furnished to us nor has any allowance been made for this in proposing an increase in land revenue. But this is not all. The all important question of indebtedness has been entirely ignored

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for reasons best known only to the Settlement Officer. It is a question which should have been kept before everything else in determining the burden which is sought to be imposed on us. Our burden has been determined by ignoring this factor. After all the interest, if not the capital has to be paid by the zamindar out of his net assets or income. The total debt of Attock district is no less than one crore and 21 lakhs. This is the official figure; and if you compute interest at the lowest rate, it would amount to no less than 30 lakhs a year and yet this factor has been entirely overlooked by the settlement officer when assessing the two tahsils. If the Government could possibly reduce the burden by 15 lakhs, the people of Attock would not groan and cry, so much about the present increase in the assessment, but as they have got to pay 30 lakhs by way of interest alone on their debt over and above the increase in revenue they cannot but remonstrate. I must say, Sir, that the patience of the people can go no further, and the Government should not tax their patience any further. The district of Muzaffargarh has been treated very leniently for no other reason except that it is one of the most indebted districts. In Muzaffargarh a decrease has been recommended on this factor alone, but in Attock it has not even been thought necessary to consider this question. Probably it will interest the Financial Commissioner, and also the House to know that the district of Attock is not better off than Muzaffargarh and in one respect, *i.e.*, multiplicity of debt it is much worse. During the last 40 years, the debt in the district of Muzaffargarh multiplied by six times, while in Attock district it has multiplied seven times. Thus in this respect Attock is much worse than Muzaffargarh and yet a heavy burden is being imposed upon us for some obscure reason.

Then, Sir, we have also to consider the physical aspects and other conditions of the district. As you are aware, Sir, we are situate at the extreme north-west corner of the Punjab girded by hills and traversed by nalas and ravines open to raids from the Frontier and severe droughts from above without any facilities for irrigation or improvement in agriculture and what is worse without any hope of development in this district. I would like specially to draw the attention of the Honourable Minister for Agriculture, who unfortunately is not present in the House now, to the fact that agriculture is in a very backward condition in this district; and we are unfortunately so situated and our lands are so formed that there is no hope of either of these facilities being given to us, especially irrigation facilities, and yet for some reason or other we are burdened with a rate of land revenue which does not exist even in the best of the colonies in the Punjab. The quality of the soil can be judged from the fact that an agricultural farm which was opened at Basal had to be closed down on account of the poor quality of the soil. As I have already mentioned the irrigated area during the last settlement was only nine per cent., probably it has gone up by another 2 or 3 per cent. thus making the whole irrigated area not more than 12 per cent. which includes *chahi* lands and the rest is all *barani* land, very poor *barani* land at that. These are the conditions under which we live. I will, with your permission, Sir, quote a few extracts from Mr. Darling's *The Punjab Peasant in Prosperity and Debt* which will bear me out in every particular that I have mentioned. Mr. Darling got his information from the Gazetteer or other official publications. According to Mr. Darling the total debt of Rawalpindi is 57 lakhs, of Jhelum 96 lakhs and of Attock 121 lakhs. He says:

"These figures generally confirm what has been said above, and we have only to turn back to page 79 to see how much lighter debt

is in Rawalpindi and Jhelum than in the Central Punjab. *Attock on the other hand is heavily indebted.* The reasons for this must be found in the peculiar conditions of the district."

Then Mr. Darling proceeds :

"Girt with hills and cradling the Indus, this rugged district helps to divide the Punjab from the Frontier and marks almost the verge of civilisation . . . . . Moreover lying along the Indus one of the natural frontiers of India, the district has had more than its share of political insecurity, and conditions are as primitive as in any part of the province . . . ."

Then Mr. Darling compares the southern districts of Gurgaon, Rohtak and Hissar with Attock and says :

"All the four districts have one thing in common—grave insecurity of harvest, and where this is the case debt is almost invariably high."

Mr. Darling says that the debt is much higher in Rohtak and Hissar than in Rawalpindi and Jhelum but it is much the same in Attock. Speaking of drought, the same author says :

"From Attock further north, cattle were taken to Chenab, nearly 200 miles to the south, while at the other end of the province in Sirsa, the failure of five out of six harvests (1919-21) reduced cattle by 40 per cent."

Later on, he says :

"In the other three districts (referring to Mianwali, Muzaffargarh and Dera Ghazi Khan) debt is far heavier, and Attock with a land revenue multiple of 18, is the only district in the north that can be compared with them. This link with Attock is not a mere accident, for the latter not only marches with Mianwali, but is agriculturally almost insecure."

This is where Mr. Darling compares Attock with Muzaffargarh. Then he gives the figures of multiplicity of debt. The mortgage debt of Muzaffargarh has risen during the last 40 years from 13 lakhs to 80 lakhs in 1922, whereas in the case of Attock it has gone up from 7 lakhs to 50 lakhs in the same period which is more than seven times, and greater than Muzaffargarh.

I want to read, with your permission, Sir, one more extract which will bear me out when I say that the people living in Attock are not lazy or indolent. We are indebted so much not because we are sitting comfortably at home doing no work, but the nature of the country is such that it will not yield any profit however hard we may work. This is what Mr. Darling says :—

"In Attock the Awans, one of the most important tribes in the district are described as being neither lazy nor extravagant, but simply unfortunate. They are in debt because no peasant proprietary can expect to keep out of debt in a tract *where good years are few and bad years many,* where there are no extraneous sources of income, and where the cattle and the children have to be fed in good and bad years alike".

These are the facts about our heavy indebtedness due to the grave insecurity of agriculture in the district. Our debt has increased seven times during the last 40 years as compared with Muzaffargarh. The settlement officer

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has said that there has been an increase of 84 per cent. in the prices of produce. I beg to submit, Sir, that the increase of 84 per cent. in prices is more than counterbalanced by equal or greater increase in the prices of other necessities of life, but if that is not enough to discount the rise, the factors which I have submitted will more than wipe out any advantage due to the increase in prices of the produce. Taking all the facts into consideration, is it not fair to ask the Government why they are so keen to burden us with an increase which it is impossible for us to bear. Is it because that the Government finds us extremely rich that they want to squeeze us, or is it that the coffers of Government are empty and that there is a deficit budget or that the Government is in such financial straits that they want to tax us beyond our capacity? The answer to that can only be in the negative. We all know we have got a surplus budget. There is no necessity for Government to squeeze the blood of these poor people. I have quoted from official publications and the Government knows also perfectly well that the people in Attock are not rich, as a matter of fact we are one of the poorest districts in the Punjab, and yet our cry has so far been a cry in the wilderness. Sir, it is my duty to bring to the notice of the Government that there is a feeling in the minds of the people that they are being victimised because they are helpless. It is most unfortunate that a feeling like this should be allowed to exist or get embedded in the minds of the people that we are being sacrificed and squeezed because we are dumb and helpless and are not versed in the art of agitation. We do not like to walk out of the Council Chamber like our honourable friends opposite (Hear, hear). We do not make demonstrations like some other people, we are not vociferous, and there is a feeling which is unfortunate—that the Government is putting on us this burden because they know that they can ride rough shod over us without fear of any untoward consequences? Is this the reward that we deserve for our loyalty and service? Is it right that people should be allowed to feel that they are being thrown away like a sucked lemon? Is it just that that feeling should be allowed to exist in the minds of the people who have stood by you through thick and thin? We are not a boastful people, but I cannot refrain from pointing out now when our very existence is at stake, that it has been a tradition with us to come to the help of the Government when necessity arose from the days of Nicholson to the present day. During the great war, we supplied no less than 18,000 men to the army—one whole division. It was during that period of anxiety and concern, early in the spring of 1918, that we were called upon to make a big effort. At a time when only ten thousand troops remained to guard the vast frontiers of the North-West and the casualties in other spheres rendered it necessary to replace them immediately, it was then we did our best to fill the gaps in frontier defences and in units abroad. Sir, I can say with pardonable pride that we rose to the full height of the occasion, and furnished one full division. How we did our bit is a matter of history now—which perhaps the honourable members on the official benches have forgotten, but I will say that there was no theatre of war where Attock men did not participate. The battlefields of Flanders and Palestine and the deserts of Iraq and Egypt are still saturated with the blood of Attock men who made the supreme sacrifice. There was no theatre of war from the Rhine to the Tigris and the Oxus to the Indus, where Attock men did not lay their lives for their King and country. Nearer home during the great war and later in the Afghan campaign we did just as well. It was a handful of Attock men—about 2 dozen all told—who held in check a host of 2,000 tribesmen at Barly hill in 1919 for six long

and solid hours and saved the communications in the Khyber. I can also say without being petty that Attock men always died with bullets in their breasts and never turned their backs on a battlefield. It is for the survivors of these men and their kith and kin that I appeal to the Government for justice, fair-play and consideration.

Sir, during the turbulent times of internal strife and struggle abroad, our anchor held—held fast and true—and if occasion arises we will not be found wanting—to defend our motherland from aggressors who may again seek to force their way through the historic gorges of Attock. I ask, Sir, is it fair to the country, is it fair to the province, is it fair to the public or is it fair to the Government themselves to weaken the bond—the links of the chain which secures the anchor. We did our duty, will the Government do theirs? I confidently hope that the Government will not fail us at this critical juncture, just as we did not fail them, and bear in mind the advice given by the great Nosherwan to his son:

رعیت چو بیخ است و سلطان درخت
درخت اے پسر باشد از بیخ سخت

which when translated means: Subjects are like the roots and the King like the tree, my son the tree gets its strength from the roots (Applause).

Mr. President: Grant under discussion, motion moved:—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 4,18,800—Survey and Settlement Parties".

The question is that that motion be adopted.

Mr. C. M. King (Financial Commissioner): Sir, before I proceed to deal in such detail as I am able to with the speech of the honourable mover of this amendment, I would like to point out the inadvisability of moving a resolution of this kind dealing with a particular assessment in a particular district. I have listened with all attention to his speech and I myself who have some acquaintance with the assessment report against which his charges are based had the greatest difficulty in following the figures which he dealt out to us. How much more difficult must it have been for other members of this Council who have not had the advantage of studying that assessment report and who are not able therefore off-hand to seize the points that he has made. I venture to suggest, Sir, that this Council, for its own sake, should confine itself mainly to settling questions of principle. It should decide on what principles an assessment shall be made, and having made that decision, leave it to Government to give effect to that decision. Government in accordance with the decision appoints a selected officer to be a Settlement Officer and the Settlement Officer does a great deal of hard work, he considers masses of figures and he prepares certain proposals. Those proposals again are considered very carefully by Commissioner and subsequently they are passed on to the Financial Commissioner who studies them with equal care and drafts orders and those orders are submitted to Government and Government either modifies them or approves them. That is the process by which a settlement is made. Now, Sir, given your principles you must trust to the Settlement Officer, the man on the spot to put those principles into force. Having got your Settlement Officer, you must also trust your Commissioner and your Financial Commissioner to scrutinise the various statistics that are

5 P. M.

[Mr. C. M. King.]

prepared and to pass on them the orders which are proper to the occasion and when that goes up to the Government it is the duty of Government to decide whether that assessment has been conducted in accordance with the principles laid down and if so if any further modification is required. How then can anyone come to this House and ask for a reduction in the assessment of the particular small area with which he is concerned? I can understand his coming forward and saying that the whole province is over-assessed. I can understand his saying: You are taking too high a percentage of produce. You have taken too high a percentage over the former assessment, you have taken too much having regard to the wealth or poverty of the Province. I can quite understand that. That is perfectly fair and legitimate. But when a member of this Council comes forward and tries to persuade this Council of the inaccuracy of certain facts and figures which have been collected by the Settlement Officer—I must say that I am speaking now not as an official member but as if I were an ordinary member of this Council—I am bound to reply that I cannot understand those facts and figures, that I have not had an opportunity to study them, and that without doing so I am not prepared to reject them. This is to illustrate the inadvisability of moving a resolution like this dealing with a particular district or a small part of a district and involving an examination of an intricate mass of figures. Or again, if the member has any definite charges to bring against any particular Settlement Officer, I can understand his standing up in this House and saying this officer who has been selected by Government is an Officer who is not competent, he has been unable to perform his duty properly and therefore I come forward and ask Government to cancel the order based on his report. I can understand that point. But that charge is not made, I am glad to say. There is no allegation that the Settlement Officer of Attock is not a sympathetic officer, that he is not a very hardworking officer; that he is not an officer who has not gone into every detail of his work with the greatest assiduity.

There is another point I should like to make before I go on further, and that is, that the mover of this amendment says that it refers to the whole Attock district. I do not quite see how he can say that, because in the case of two tahsils of that district no orders have been passed. I myself have not seen the Settlement Officer's proposals for Pindigheb and Fatehjang.....

Lieutenant Sardar Sikandar Hayat Khan: Sir, I pointed out.....

Mr. President: Order, order.

Mr. C. M. King: I am just pointing out that the amendment deals with the whole of the Attock district and my point is this that at present one tahsil has been completely settled, the Talagang tahsil. The orders on the Attock tahsil have just issued and as regards two tahsils, I am entirely in the dark. We have not seen any report at all.....

Lieuttenant Sardar Sikandar Hayat Khan: Sir, may I make a personal explanation?

Mr. President: The proper time for explanation at the conclusion of the speech which calls for it, but if the member in possession of the House gives way and resumes his seat when the member desiring to give his explanation rises, the explanation may be given at once.

Mr. C. M. King: Sir, I am quite willing for the honourable member to make his explanation.

Lieutenant Sardar Sikandar Hayat Khan: What I meant was simply this that assessment of the tahsils would be inequitable, because it would not be on the merits of the tahsils. The Settlement Officer has already assessed one tahsil and he would be tied down to 50 per cent. in the case of other tahsils as well. Those tahsils would not be assessed on their merits but simply on the residue which is left over from these tahsils.

Mr. C. M. King: I understand the honourable member perfectly, but I would point out that every settlement is preceded by an enquiry which finally results in a forecast report, and in that forecast report details are given of the amount of enhancement or reduction that can be expected from each tahsil in the area under assessment. Therefore a Settlement Officer when preparing his assessment proposals for any particular tahsil has always before his mind the fact that certain enhancement is expected for the area as a whole and he also has before his mind the fact that if he unduly increases the assessment of one particular portion of that area he must for the reasons given by my friend assess other parts of that area at a lower rate than that at which they ought to be assessed. I entirely understand the position. The two areas which remain to be assessed, Pindigheb and Fatehjang, are notoriously the worst areas, the worst tahsils of this Attock district and it is quite possible that the assessment there will not reach the 15 per cent. which has been allowed by the Settlement Officer in preparing the assessment report in the other two tahsils.

Then, Sir, I come to matters of detail. The whole question of the assessment of the Attock district depends on the rate at which you assess *chahi* land. As my friend has pointed out irrigated land in the Attock district accounts for 9 per cent. of the whole cultivated area of that district, yet that irrigated land itself pays about 50 per cent. of the whole revenue of the tahsil. That is the position. Granting that the irrigated land is very small proportionately, it is land of extraordinarily high value and that is the reason it has been assessed at rates which, as quoted by my friend, appear to be unusually high when compared with the rates in other parts of the province. But here again my friend has committed two errors. The first error is that he has assumed that the rate of assessment for *chahi* land is Rs. 10 per acre which is indeed what the Settlement Officer proposed. But when the Settlement Officer's proposals came up to the Financial Commissioner and his final orders received the approval of Government the rate actually sanctioned for the *chahi* land was Rs. 8 per acre and not Rs. 10 per acre. That is an important point of which my honourable friend has apparently not been aware. If he had taken some interest in the assessment of the tahsil he would have discovered that. That is one mistake he has committed. There is another mistake. He has compared this rate of Rs. 8 an acre with the rate levied from irrigated land in other parts of the province. This eight rupees an acre is not eight rupees per acre of crops matured. That is the mistake that he has fallen into. This rate of eight rupees is per acre cultivated and the area to which this eight rupees rate is applied usually bears more than two crops per annum So the actual rate per matured acre of crop grown is not Rs. 8, but Rs. 4-5-0. Now compare that rate of Rs. 4-5-0 per acre matured with the rates on irrigated land in other parts of the province. Take the Lyallpur district, circles I and II. There we have half a million

[Mr. C. M. King.]

acres or more. There the rate is nearly Rs. 5 per acre. In one branch it is Rs. 5-1-5 and in another it is Rs. 4-12-0. If you therefore compare these figures with the rates for the Attock tahsil it will appear that the Attock tahsil has not been over-assessed. Compare the *chahi* land in the Attock tahsil with the *nahri* lands of Lyallpur, and there is a difference of ten annas per acre in favour of Attock.

Now let us pass on further. The actual percentage of estimated net assets taken is only 24 per cent. 33⅓ per cent. is the limit which has been allowed in the Land Revenue Bill now under consideration in this Council. The actual amount taken by the Settlement Officer is only 24 per cent. That cannot be called excessive. Even if we allow that the Settlement Officer has been as unintelligent and as hard-hearted as my friend by implication alleges him to be, even if he has over-estimated the produce and under-estimated the expense, still there is a sufficient margin between the 24 per cent. and the 33⅓ per cent. so as to allow for all that exaggeration. It cannot be said that the Settlement Officer has deliberately falsified statistics. Can it be said that Attock tahsil has been over-assessed if the figures show that we have taken only 24 per cent., while we can take 33⅓ per cent.? That is the position with regard to the assessment based on the outturn or produce per acre.

When we come to the actual cash rates, the Settlement Officer has made a very detailed enquiry about the cash rents payable in the most wealthy circle of the Attock tahsil. After the most careful enquiry he has come to the conclusion that after allowing for all expenses the net rate per acre which the land owner receives cannot be less than Rs. 43. Of these Rs. 43 the amount that is proposed to be taken is Rs. 8. There again it cannot be said that there is any over-assessment.

If you turn again to the price of land you find that the land which had to bear this assessment fetches extraordinarily high prices. The average price of *chahi* land in the *chach* circle is something like Rs. 1,043 per acre, while some well-situated land fetches Rs. 3,000. Looked at from that point of view again of the assessment it must be agreed that an assessment of Rs. 8 per acre is a mere nothing.

The mover of the reduction has made a comparison which in the necessity of the case seems to me to be unfair between the well rates charged on the Attock land and the well rates charged in other parts of the Province. The Attock wells are peculiar in this respect that they serve a very small area but the cultivation around them is of an extraordinarily good kind. The chief crop grown is tobacco. It brings enormous profit to the cultivator. These wells serve as a rule only four to five acres. But these four or five acres are most intensely cultivated and the results are surprising. Compare those wells with the wells in the Mianwali District or the Muzaffargarh District or any other parts of the province where the average acreage per well is 30 to 40 acres. You see at once the great difference and you see at once the reason why in the one case you can go high and in the other it would be most inadvisable to do so. Therefore I must warn the Council against accepting any comparison such as the mover of the reduction has made. If a comparison is needed, the nearest comparison I can give is the Jullundur city circle of the Jullundur District which was assessed some 8 or 10 years ago and where the rate is about Rs. 4-3-0 per acre which compares very closely with the Rs. 4-5-0 per acre which I have said is the actual rate in the Attock Circle.

The member for Attock has made some rather astonishing statements. I do not quite follow them. One of them was that Muzaffargarh was let off because it is a much indebted district. Undoubtedly the indebtedness of the Muzaffargarh District was taken into consideration along with other factors when the assessment of the Muzaffargarh District was taken in hand. Exactly the same was done in Attock tahsil; the whole circumstances of the tahsil have been reviewed by the Settlement Officer at great length in the assessment report which I may say is one which shows the extraordinary care in compilation and as a result bearing in mind the indebtedness, and all the other factors that go towards the estimation of an assessment he has come to this conclusion. Even this conclusion, which the honourable member has just described to you, Government has not fully accepted, but in the case of *chahi* and other lands has made a considerable reduction. I may say here, Sir, that I deliberately kept myself to the consideration of *chahi* because this is the most important item in the assessment of this district. I can give you an equally valid argument for the other lands. The actual incidence on the *barani* land is about 13½ annas per acre which is by no means considerable considering the quality of the *barani*. I won't weary the Council by going through the details of each incidence of rate. I will only say this, that I have gone through the report with the greatest care. Although the orders were not drafted by me, they appear over my signature and of course I am responsible for them. I have looked on them from a detached point of view and I can see nothing in them which justifies the criticism of the honourable member who has moved the reduction.

Mr. E. Maya Das: Sir, I want one piece of information. Rs. 4-5-0 are charged per acre, whereas the cultivators make Rs. 43 per acre. Is that so?

Mr. C. M. King: Forty-three rupees per acre is the average rent rate of cultivated land and Rs. 8 per acre is the revenue charged on that cultivated land. Rupees 4-5-0 is the rate per matured acre, that is per acre of crop grown. Very often two crops are grown on every acre in a single year.

Mr. E. Maya Das: What is the net rent rate per acre?

Mr. C. M. King: The net rent rate per acre is Rs. 43.

Malik Firoz Khan Noon [Shahpur East (Muhammadan), Rural]: Sir I have listened to the figures that have been quoted by the last two speakers with great interest and I will not go into those figures again. I shall, however, deal with one or two points which stand clear after the speeches that we have heard to-day and after listening to the debates on the settlement policy on the floor of this House now and again. One thing is certain that there is discontent in the minds of the land revenue paying public with regard to the systems of estimating the outturn per acre and the prices of the various crops by the Settlement Officer. At present the Settlement Officer usually prepares forecast report which is sent up to the Commissioner who in his turn sends it to the Financial Commissioner and after it has been sanctioned by the Government it is sent back to the Settlement Officer who announces the assessment. After that assessment is announced the land revenue payers have the right of appeal But whom does the appeal go to. That goes to the people who have already sanctioned the forecast and who have already approved of the proposals of the Settlement officer.

[Malik Firoz Khan Noon.]

I ask what use is it, appealing to people who have already passe orders. Are they going to go against their own order? One thing this must be tried and that must be achieved is this that the appellate authority under the Land Revenue Act should be some one other than the authority which sanctions that forecast report or which has anything to do with the settlement operations. Officers who pronounce sentences and who carry out the policy of the Government are not the officers to whom the public can go and seek justice as they would go to an arbitrator. The Financial Commissioner said that there is an able Settlement Officer in charge of settlement operations, there is a still more able Commissioner and a still better and educationally a fitter person called the Financial Commissioner who goes through all these facts and figures and passes his orders. Then he goes on to say that after the cases have been sifted by these three officers, what use is it coming to this House to ask for a change? I would reverse and ask the questioner: what use is it to go to these officers and ask for a change because they have already pronounced their judgment and they are not going to go against their own order. That can hardly be expected of them. I feel, Sir, that there ought to be some provision in the Act which provides for an appellate authourity other than the officers who have to deal with the settlement operations. Secondly, there ought to be a reference under the Land Revenue Act to the High Court as there is a reference to the High Court under the Income-tax Act. Where there has been an illegality, an income tax payer can go and seek relief at the High Court. I feel.....

Mr. C. M. King: On a point of order, Sir. Is this all relevant to the protest against the increase of land revenue in the Attock district?

Mr. President: If I understood rightly the spirit of the speech of the honourable member Mr. King, he was describing for the information of the House how settlement operations are conducted and how people who are aggrieved can prefer an appeal and so on. I think the honourable member Malik Firoz Khan Noon is quite in order in replying to Mr. King's arguments.

Malik Firoz Khan, Noon: Thank you, Sir. I was only saving the Honourable Financial Commissioner from listening to an utterly dull speech of facts and figures and I was only attacking the basis on which he laid so much emphasis himself. The only way by means of which he can safeguard himself against attacks by members of this House and by the public is this: he should bring about a change in the law so that the public may have confidence in the authorities to which they have to appeal. That confidence can be created only by making provision in the Land Revenue Bill to the effect that I have already suggested.

One point more and I shall have done. It has been mentioned today in the House by the Financial Commissioner that the present Land Revenue Bill will be given effect to with regard to the settlements that are now under operation. I would like to draw the attention of the House to clause 7 (iii) (3) of the Land Revenue Bill which has been introduced in this Council which runs as follows.

> "Subject to the provisions of sub-section (4) the rate of incidence on the land of the land revenue imposed under the provisions of sub-section (1) on any area, in respect of which a notification has been issued under sub-section (1) of section 49 shall not exceed the rate of incidence of the land revenue imposed at the last previous assessment by more than one-third".

That means by more than 33⅓ per cent. If the Government want to carry out their promise to the fullest extent, then they have no right to increase the land revenue in the Attock tahsil by 55⅓ per cent. If the Government are fair and just to the people and if they want to abide by the promise already made, then they must reduce the assessment of Attock tahsil by nearly 22 per cent. (Hear, hear) thus bringing down the assessment to 33⅓ per cent. The increase in the Attock tahsil is 55⅓ per cent. on the last assessment.

Mr. C. M. King : It is 37 or 38 per cent.

Malik Firoz Khan, Noon : There has been a reduction and I have already explained that this was the original proposal of the Settlement Officer.

Lieutenant Sardar Sikandar Hayat Khan : Is it 37 per cent. all round ?

Mr. C. M. King : It is 37 per cent. in this particular tahsil and not in the whole district.

Malik Firoz Khan, Noon : Even if it is 37 per cent. I think I can fairly claim that it should be reduced by another 4 per cent. so as to bring it to ⅓. If the Government is really anxious to carry out the promise made by the Financial Commissioner....

The Honourable Sir John Maynard : I do not know whether there is not some misunderstanding. It is to the district, not to the tahsil that the limit of enhancement applies.

Mir Maqbool Mahmood : Is the increase the same in all the settlement circles ?

The Honourable Sir John Maynard : You might have a larger increse in one particular assessment circle and you might have a smaller increase in another circle but for the whole district under this enactment the assessment must not exceed the former assessment by more than ⅓, that is 33⅓ per cent.

Malik Firoz Khan, Noon : Sir I feel I cannot agree with a policy like that, namely of increasing the land revenue of the whole area by a certain amount and then distributing that increase in such a way that in certain areas we can increase the land revenue by 200 per cent. and in other areas you can increase the land revenue by 15 per cent. What I wish to submit is this : that in future the discretion of the Settlement Officers should be so hampered and chained by legislation that they cannot give full vent to their own sweet will, that they cannot increase the assessment of any particular land-owner by more than 33⅓ per cent. This is what the Council ought to drive at. I hope that the Government will not increase assessment by more than 33⅓ per cent. in any part of the district or in a whole area. What we should aim at bringing about is this : that no land revenue payer should be made to pay more than 33⅓ per cent. of his former assessment. Here I would like to give an example to the wise, noble and experienced land revenue officer on the opposite bench. It so happens that certain Settlement Officers take it into their head.....

Diwan Bahadur Raja Narendra Nath : According to the honourable member's contention, if there is any honourable member whom we want to assess at below 33⅓ per cent. and however deserving his case may be we cannot do it. It would only amount to that.

Malik Firoz Khan, Noon : That can also be provided for. In the existing state of affairs, if a particular Settlement Officer feels that a certain land-owner who is also a money-lender, who lives in a far off distant town, who is very rich and very well off and even if his land does lot deserve a heavy assessment, if the Settlement Officer feels that he can afford to pay a high rate of assessment, he imposes the high rate on him. For that consideration, the Settlement officer imposes upon him an assessment which he really does not deserve. In another case if the Settlement officer wants to show favour to a man who has been running about on the back of his pony along with the Settlement officer, even though he may be really a rich man and however much his land might deserve to be assessed with a high rate of assessment, yet he is shown favour by the Settlement Officer. That landowner is treated leniently. My submission is that a restraint should be placed on the discretion of the Settelment Officer. He should be curbed from exercising any discretion at all and this can be done only if a specific provision is made to the effect that the Settlement Officer is forbidden to raise the assessment of any particular land by more than 33⅓ per cent.

In conclusion, I wish to appeal to my honourable friend that since the purpose with which he raised this discussion has been served, he should withdraw his amendment.

Mr. H. W. Emerson (Official, Nominated) : Sir, as an officer who has spent some years on settlement work in various districts, I would like to correct the wrong impression which may perhaps be conveyed by the speech of the honourable member for Shahpur. The first point that he took was that the officers who pass orders on the assessments of individual land-owners are the officers to whom the appeal comes later on and that they, as a matter of fact reject the appeal since they cannot reverse their previous orders. That is hardly a correct statement of the case. It is true that the assessment report for the tahsil as a whole does go to the Commissioner for review and then passes on to the Financial Commissioner after which the final orders of Government are given on it. But in the first place, neither the Commissioner nor the Financial Commissioner has anything at all to do with the fixing of the assessment of the individual revenue estate. In the distribution of the total demand over the villagers, the Commissioner and the Financial Commissioner play no part. They have no preconceived notions as to the adequacy or otherwise of the assessment for an estate and when the case goes up to them on appeal they can form an opinion on it with a perfectly free mind. The precedent quoted of income-tax cases does not appear to be quite relevant, since as far as I understood the honourable member, a reference can be made to the High Court only if there is any question of illegality. If a similar provision for reference to the High Court were to be made in land revenue assessment cases, I am afraid it could not help the landlords much, because in ninety-nine cases out of a hundred the question on which a land assessment appeals is preferred is not a question of illegality.

It is a question of fact as to whether the assessment imposed on a certain revenue estate is or is not excessive, and it is on the various facts put forward on the one hand by the Settlement Officer in his inspection notes, and on the other hand by the appellant in any argument that he puts forward that the Commissioner and the Financial Commissioner form their own opinion. It is wrong to regard them as interested officers who have already passed judgment on the question which comes before them on appeal.

The second point taken up by the honourable member is much more important. I understand that the present proposal embodied in the Land Revenue Bill is that the enhancement for a district as a whole should be limited to 33⅓ per cent., and that within that limit of 33⅓ per cent. for the whole district the Settlement Officer and the Government are given discretion as to how to spread that increase over not only the various tahsils of the district, but over the assessment circles within the tahsil over the revenue estate within the assessment circle and over the holdings within the estate. The picture of a Settlement Officer as one who spends his time purely in squeezing the last drop of blood out of the zamindars—as two honourable members have depicted him this afternoon—or in the alternative in granting favours to their friends is not a very accurate one. I think most Settlement Officers take up the work of re-settlement with the intention of doing their very best to see that the burden of land revenue should be distributed fairly over the various land owners. If they are to be stripped of all discretion in this matter and if their work is to become a mere matter of routine, then I think the results will be very much worse than they have been in the past. One result must be that the poor men will get no relief. The rich man who has been able to extend his cultivation, who has obtained new means of irrigation and who by every rule of equity ought to pay 50 per cent. or 80 per cent. or, even in some cases as much as 100 per cent. more, will get off with the maximum of 33⅓ per cent. The poor man who has not had the same opportunities will not get off with much less, because after all the Government of the Province has to be carried on, the various departments have to execute their schemes of development and the revenues of Government have to be collected. If you are going to impose a limit of 33⅓ per cent. in the taxation of the rich man, spread over a period which is not less than 20 years may be 30 years, how is Government to obtain the necessary revenues to develop the province? The inevitable result will be that far too little will be taken from the rich man and too much will be taken from the poor man and that the first duty of the Settlement Officer, which is to equalise the burdens over all, will be taken away. For this reason I would strongly advise this Council that in the interests of equity they should confine the maximum enhancement to a large area and leave to those who know the conditions of the tract and the circumstances of the people the manner in which this enhancement shall be distributed over the various assessment units. (Applause).

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, it is not my intention to go into the details of this discussion. I want just to submit only two or three points to the Council. First, the honourable member from Attock began his speech by referring to a promise given by me to him in this Council, and said that the Settlement Officer of Attock had paid no regard to it. I am afraid that there is some misapprehension in his mind as to the incident he refers to. The promise I made was that if he has any facts to bring forward in support of his desire to have the assessment of

[Hon. Mian Sir Fazl-i-Husain.]

Attock tahsil reduced, it is open to him to make that representation to the Commissioner or the Financial Commissioner, and the officers concerned will give their very best consideration to his representation. I do not know whether he has availed himself of that opportunity. No such representation has come to me yet.

The next point to which I want to draw the attention of the House is the impassioned appeal in the interest of the Attock district on account of the splendid services rendered by that district during the last great war and the promise of similar service whenever opportunity again presented itself to the district. Well, Sir, I need hardly say that no district loses and for the matter of that no individual ever loses by doing a great and noble work and I am sure that the great and noble work done by the Attock district is not forgotten. If we analyse his speech a little, we will find when he is speaking in the name of the Attock district, he is really speaking in the name of those land owners who have got *chahi* lands in the Attock tahsil and as the honourable the Financial Commissioner pointed out, on behalf of the owners of 9 per cent. area of the Attock tahsil. Let not the Council misunderstand me that in the case of the 9 per cent. owners of *chahi* lands in the Attock tahsil, Government has any desire to be otherwise than absolutely fair and just. If the owners of the 9 per cent. of the *chahi* lands in the Attock have a case which requires consideration, it will be taken up. Has that case been established by the honourable member from Attock? I have listened with great attention to his speech and also to the speech made by the honourable the Financial Commissioner and I find that there are certain allegations of fact on the one hand and denials on the other, and there is no material on the basis of which a finding in favour of the allegation can be arrived at. But I can assure the House, Sir, that if any of the allegations made by the honourable member are found on examination to have any force in them, they shall receive that consideration to which they are entitled and that is all I can say about it. It is open again to the honourable member and others in Attock to make such representations as they are entitled to make and they shall receive the best consideration of Government. By best consideration let me make it quite clear is not meant that any promise is being made that there will be any reduction granted, but what is meant is that their representations will not be ignored and that their complaints will be enquired into and decided on their merits.

Lieutenant Sardar Sikandar Hayat Khan [Attock (Muhammadan), Rural]: Sir, I will first briefly reply to the Honourable the Revenue Member. He said that orders have been issued to the Settlement Officer. What I meant was that the Settlement Officer had not taken the assurance in the spirit in which it was made. I may also inform the Financial Commissioner and the Revenue Member that the irrigated area is not 9 per cent. in the Attock tahsil, but it is 9 per cent. to the total cultivated area in the District. The irrigated area in the Attock tahsil is much greater; in *chach* I think it is 20 per cent. of the whole cultivated area.

Then, Sir, the Honourable the Finance Commissioner said that it is not right to compare with figures of other districts, and he gave us figures of matured area per acre; but I also gave him fixed rates per acre of land revenue in the districts to which he referred. I would remind him that the highest figure is 1·73 in the districts of Muzaffargarh, Jhang, Montgomery and Mianwali, while in *chach chahi* land has been assessed at an average rate

of Rs. 8 per acre. I do not see why *chahi* land in other districts could not give two crops, while it could give two crops in *chach*. What the Financial Commissioner probably means is that he wants to put a premium on the laziness and indifference of the people in other districts. It is not by any help offered by Government that the people in *chach* can grow more paying crops. It is through their own industry and hard work; and if Government insists on victimising them for this they will soon make them follow the other districts who will not raise good crops.

Then the Financial Commissioner stated that the figures of Settlement Officers are studied by the Commissioner and then by the Financial Commissioner. After they have been carefully studied by these officers, probably the Revenue Member goes through them. But do they go and verify those figures on the spot? I doubt very much if that was done in the case of Attock. Did the Financial Commissioner when he visited Attock enquire from me whether the figures given by the Settlement Officer were correct? And I doubt very much if he enquired from any one else in Attock either.

The Council then adjourned till 2 P.M. on Tuesday, the 9th March 1926.

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PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL

Tuesday, the 9th March 1926.

The Council met at the Council Chamber at two of the clock. Mr. President in the Chair.

OATH OF OFFICE.

The following member was sworn in :

Mr. Miles Irving : Official nominated.

QUESTIONS AND ANSWERS.

FOREIGN LIQUOR WHOLESALE VEND LICENCES.

2730. **Maulvi Mazhar Ali Azhar :** Will the Government please state the number of foreign liquor wholesale vend licences issued in form—

(*i*) L. 1 ; and

(*ii*) L-2, during the years, 1914-15 to 1924-25 ?

The Honourable Sardar Jogendra Singh : The honourable member is referred to Provincial Statement A attached to the Excise Reports for the years in question.

LICENSES TO HOTELS FOR SALE OF LIQUOR.

2731. **Maulvi Mazhar Ali Azhar :** Will the Government please state—

(*a*) in respect of what hotels, dâk bungalows, restaurants, railway refreshment rooms and dining cars were licences for the retail vend for on-consumption granted during the years 1918-19 to 1925-26; and

(*b*) Licences of which hotels, restaurants or railway refreshment rooms were granted supplementary licences in the form L-8 to sell foreign liquor by retail for off-consumption ?

The Honourable Sardar Jogendra Singh : Government has no information as to the names of the hotels, etc., but the numbers will be found in statement, B (*ii*) attached to the Excise Reports of the years in question.

LICENCES FOR THE RETAIL VEND OF FOREIGN LIQUOR.

2732. **Maulvi Mazhar Ali Azhar :** Will the Government be pleased to state in how many cases the licences for the retail vend of foreign liquor in a bazar were permitted to vend for on-consumption during the years 1914-15 to 1925-26 ?

The Honourable Sardar Jogendra Singh : The honourable member is referred to Statement B (*i*) attached to the Provincial Excise Reports for the years in question.

LICENCES TO HOTELS, ETC., FOR RETAIL VEND OF FOREIGN LIQUOR.

2733. Maulvi Mazhar Ali Azhar : Will the Government kindly state in how many cases were licences of hotels or restaurants granted supplementary licences to keep a bar for the retail vend of foreign liquor during the years 1918-19 to 1925-26 ?

The Honourable Sardar Jogendra Singh : The honourable member is referred to Provincial Statement B (*ii*) attached to the Excise Reports for the years in question.

LICENCES FOR WHOLESALE OR RETAIL VEND OF COUNTRY OR FOREIGN LIQUORS.

2734. Maulvi Mazhar Ali Azhar : (*a*) Will the Government be pleased to state on what (*i*) special occasions or (*ii*) fairs, licences for wholesale or retail vend of country or foreign liquors for off or on-consumption were granted during the years 1918-19 to 1925-26 ?

(*b*) Were any special licences granted for the retail vend of foreign liquor at a bar at any place of recreation or any special occasion during the years 1918-19 to 1925-26 ?

(*c*) If the answer to (*b*) be in the affirmative, will the Government please state the names of places of recreation or where the special occasion arose ?

The Honourable Sardar Jogendra Singh : The information is not available at headquarters, and Government does not consider that the value of the information if collected, is commensurate with the labour involved in collecting it.

OFFICE OF SUB-REGISTRAR AT PATHANKOT.

2735. Maulvi Mazhar Ali Azhar : (*a*) Is it a fact that the office of Sub-Registrar at Pathankot has been abolished and the registration work has been entrusted to the Tahsildar ?

(*b*) Is the Government aware that some parts of the Pathankot tahsil are nearer to Gurdaspur than Pathankot, for example, the villages in the Dholewal, Gajju and Abadgarh zails ?

(*c*) Is it also a fact that the work of the Sub-Registrar, Gurdaspur, is not very heavy and additional work can conveniently be entrusted to him ?

(*d*) If the answer to the above question be in the affirmative, has the Government any objection to authorise the registration of documents relating to the zails above-mentioned at the office of the Sub-Registrar, Gurdaspur ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*a*) Yes.

(*b*), (*c*) and (*d*). The attention of the honourable member is invited to part V of the Indian Registration Act, 1908. Even if the facts be as stated in parts (*b*) and (*c*) of the question, Government is not convinced of the necessity of altering the limits of the sub-districts of Gurdaspur and Pathankot.

SUSPENSION OF LAND REVENUE IN THE GURDASPUR DISTRICT.

2736. Maulvi Mazhar Ali Azhar: (a) Will the Government be pleased to state in which villages in the Gurdaspur District was the land revenue suspended or remitted during the years 1924-25 and 1925-26 on account of the lands having been overflooded by—

(i) the river Beas, and (ii) the river Ravi?

(b) What was the amount of revenue suspended or remitted in each village?

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

CIVIL AND CRIMINAL POWERS OF THE MANAGER OF THE SHAH NEHR MUKERRIAN.

2737. Chaudhri Ram Singh: (a) Will Government be pleased to state if it is a fact that none of the canal officers possess civil or criminal powers?

(b) Is it also a fact that the present Manager of the Shah Nehr, Meri, possesses both civil and criminal powers?

(c) If so, has the attention of Government been drawn to the fact that the zamindars are afraid of bringing forward any complaints before him on account of his possession of both these powers?

(d) If the answers to parts (a), (b) and (c) are in the affirmative, will the Government consider the desirability of either withdrawing these powers from the present manager or appointing a new manager who has not got any of these powers?

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

2738. *Cancelled.*

PARAO CONTRACTORS.

2739. Chaudhri Ram Singh: (a) Is it a fact that the parao contractors of Kulu and Saraj in the Kangra District cater to the needs of high Government officials only, and that they do not supply provisions, etc., to subordinate Government officials, like clerks? If so, why?

(b) Will Government be pleased to consider the desirability of abolishing the system of supply of provisions by contractors and issuing instructions to high Government officials that they should purchase grass, fuel and other necessities from the market or issue instructions to the contractors to supply provisions, etc., to subordinate Government officials also?

The Honourable Mian Sir Fazl-i-Husain: (a) The intention of the rules is not to debar any Government officers, high or low, from obtaining supplies from contractors. Inquiries will be made to ascertain whether as a fact any Government official or class of officials has been debarred.

(b) Does not arise.

TAX ON SHEEP AND GOATS.

2740. Chaudhri Ram Singh: (a) With reference to the answer to Question No. 2081* put on the 30th November 1925, will Government please lay on the table a copy of the Punjab Government notification No. 416, dated the 14th August 1897?

(b) Will Government be pleased to state their reasons for imposing a tax on the sheep and goats of zamindars of Mauza Boh who are entitled to charge grazing fees from the Gujjars? Also, will Government be pleased to consider the desirability of the abolition of this tax in Mauza Boh and other villages of the same kind?

The Honourable Mian Sir Fazl-i-Husain: The honourable member is referred to the answer to Question No. 2610.

Answer to question No. 2610.

(a) The notification is a very lengthy one and the honourable member is referred to pages 541-47 of the *Punjab Gazette*, Part I, dated 19th August 1897, of which a copy can be shown in the Secretariat.

(b) The zamindars in question are Gaddis who have acquired limited areas of cultivated land in certain tikas in order to secure greater grazing facilities. They pay the same fees as other Gaddis owning migratory flocks; and they pay the cattle tax paid by resident owners of sheep and goats. They pay both taxes because they enjoy grazing in the tikas in which they are resident as well as in their grazing runs elsewhere.

ATTENDANCE OF CHAUKIDARS AT *THANAS*.

2741. Chaudhri Ram Singh. (i) Will Government be pleased to state if it is a fact—

(a) that in the Gurdaspur District, the Birth and Death Registers are kept by the Patwaris, and that the chaukidars make the necessary entries in them;

(b) that the chaukidars have to present themselves at the thanas and that about 460 chaukidars of tahsil Shakargarh have been punished for non-attendance at the thanas?

(ii) If the answers to the above be in the affirmative, will Government be pleased to consider the desirability of issuing orders to the effect that the chaukidars should not be compelled to attend the thanas except when their presence is required for some urgent piece of business?

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

2742. *Cancelled.*

MURDER OF SARDAR SUCHET SINGH OF CHHINA.

2743. Chaudhri Ram Singh: (a) Will the Government please state if it is aware of the fact that Sardar Suchet Singh of Chhina, District Gurdaspur, formerly Honorary Magistrate, has been murdered?

(b) If the answer to the above be in the affirmative, will Government please state what steps it has taken to investigate into the case to find out the culprit and in what stage the investigation stands at present?

The Honourable Sir John Maynard: (a) Yes.

(b) A case against five accused under section 302, Indian Penal Code, is being tried by a Magistrate.

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* Vol. VIII-B—pages 1328-29.

COMPENSATION FOR ACQUISITION OF LAND IN THE COMPOUND OF THE BUNGALOW OF LALA SANT RAM, AMRITSAR.

2744. Dr. Gokul Chand Narang : (*i*) Is it a fact—

(*a*) that the Punjab Government acquired land under the Land Acquisition Act in the compound of the bungalow of Lala Sant Ram, just adjacent to the Railway Station, Amritsar, from Messrs. Kirpa Ram-Brijlal carrying on ice business there in 1921 ;

(*b*) that the said firm of Messrs. Kirpa Ram-Brijlal had to remove their ice factory on account of the said acquisition and this resulted in heavy loss to them ;

(*c*) that it was after about four years that the District Judge, Amritsar, ordered compensation of Rs. 32,250 on 17th August 1925 ; and

(*d*) that inspite of the above order of the District Judge, Amritsar, the compensation has not been paid as yet to the said firm ;

(*ii*) (*a*) If the answers to the above be in the affirmative, will the Government be pleased to state why the compensation ordered by the District Judge, Amritsar, has not been paid to the firm as yet ?

(*b*) Does the Government propose to take steps to see that the money is paid to the firm of Messrs. Kirpa Ram-Brijlal without any further delay ?

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

COURT INSPECTOR AT GURGAON.

2745. Rana Firoz-ud-Din Khan : (*a*) How long has the present Court Inspector at Gurgaon been holding that charge there ?

(*b*) Are there any special reasons for keeping him at one station for such a long period and, if so, what are those reasons ?

The Honourable Sir John Maynard : (*a*) Since May 1921.

(*b*) Frequent transfers of Court Inspectors are not in the interest of the criminal administration, and Government sees no reason to transfer the present Court Inspector at Gurgaon.

RIGHTS OF HINDUS OF RAJUA IN CREMATION GROUNDS AND PLACES OF WORSHIP.

2746. Lala Bodh Raj : (*a*) Is it a fact that the Hindus of Rajua, of tahsil Chiniot, Jhang district, represented to the Deputy Commissioner, Jhang, that their rights in the cremation ground and in places of worship, are being encroached upon and that the Deputy Commissioner deputed an enquiry into the matter ?

(*b*) If so, what has been the result of the enquiry and what steps have been taken by the Deputy Commissioner to protect the vested rights of the Hindus of the place ?

The Honourable Sir John Maynard : (*a*) A single Hindu of Rajua complained to the Deputy Commissioner that a Sayyad had pulled down a wall of a temple. The Deputy Commissioner ordered an enquiry.

[Hon. Sir John Maynard.]

(b) The enquiry showed that the land in dispute was neither a temple nor a cremation ground, and that the dispute was of a civil nature. The complainant was left to his remedy in a civil court.

CASE OF MUNICIPAL COMMITTEE, MULTAN, *versus* GHULAM SARWAR.

2747. Lala Bodh Raj: (a) With reference to the answer to Question No. 2435,* (ii) put on 11th December 1925 will the Government please state if the appeal was filed against the order referred to in (i) or against some other order?

(b) When was the appeal filed, by whom was it filed and what has been the result?

(c) Will the Government please state what action it contemplates to take against the Municipality or the President?

(d) Will the Government please lay on the table the finding of the Commissioner on the subject?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) It is regretted that the answer to part (ii) of question No. 2435* was not correct. At that time the question of filing an appeal against the order of acquittal was under consideration.

(b) It was ultimately decided not to file an appeal.

(c) The matter is under consideration.

(d) A copy of the Commissioner's order on the appeal filed by Haji Ghulam Sarwar against the order of the municipal committee refusing to renew his license cannot be laid on the table owing to the order being lengthy. It may be inspected by the honourable member on application being made to the Secretary to Punjab Government, Transferred Departments.

SARDAR SAMPURAN SINGH, PRISONER No. 713, IN THE CENTRAL JAIL, MULTAN.

2748. Lala Bodh Raj: (a) Has any representation been made by the Secretary, Sri Guru Singh Sabha, Rawalpindi, to the effect that Sardar Sampuran Singh, son of Sardar Rattan Singh, prisoner No. 713, in the Central Jail, Multan, has been suffering from bleeding piles and that he is not properly looked after?

(b) If so, what action has been taken in the matter by the Inspector-General of Prisons?

(c) Does the Inspector-General intend to transfer him to a more suitable climate?

The Honourable Sir John Maynard:

(a) Yes.

(b) The Secretary, Sri Guru Singh Sabha, Rawalpindi, was informed that the report regarding the condition of Sardar Sampuran Singh, son of Sardar Rattan Singh, was exaggerated, and that the prisoner in question was properly cared for.

(c) No; the climate of Multan suits the prisoner, who does not himself desire a transfer elsewhere.

SALE OF NAZUL LAND.

2749. Lala Bodh Raj: With reference to the answer to part (f) of Question No. 2309† communicated to me on the 24th December 1925, will the Government please state what decision has been arrived at regarding the sale of nazul land?

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*Vol. VIII-B.- page 1669.
†Vol. VIII-B—pages 1645-46.

The Honourable Mian Sir Fazl-i-Husain : The matter is still under consideration.

SALE OF LAND TO CHAUDHRI MUHAMMAD ISMAIL, REVENUE ASSISTANT, MONTGOMERY.

2750. Lala Bodh Raj : (*a*) Is it a fact that Chaudhri Muhammad Ismail, Revenue Assistant, Montgomery, owns land in the district where he is posted ?

(*b*) Is it a fact that some land was sold to him in the district by the authorities at a price far lower than that at which the adjacent lands were sold at or about the same time ?

(*c*) Will the Government please state the rates at which the land was sold to him and at which the adjacent lands were sold to other purchasers at or about the same time ?

Mr. J. M. Dunnett : (*a*) No.

(*b*) No.

(*c*) Does not arise.

BEGAR IN THE DISTRICT OF JHELUM.

2751. Lala Bodh Raj : (*a*) Is it a fact that the system of taking labour by *Begar* still exists in the district of Jhelum ?

(*b*) Will the Government please state if any complaints have been made to the local authorities on the subject or if the attention of the local authorities has been drawn to it ? If so, what action has been taken by the authorities to stop the complaint ?

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

NOTIFICATIONS UNDER THE CRIMINAL LAW AMENDMENT ACT.

2752. Lala Bodh Raj : Will the Government please lay on the table a statement showing for the period commencing from 1921 up till now—

(*i*) districts notified under the Criminal Law Amendment Act,

(*ii*) associations declared unlawful under the Act ;

(*iii*) reasons for such declarations and notifications ;

(*iv*) arrests made under the Act according to several associations and separately for each year ;

(*v*) how many were convicted ; and

(*vi*) names of districts from which the notification has not been withdrawn up till now and the reasons for not withdrawing the same ?

The Honourable Sir John Maynard : A statement is laid on the table furnishing the information asked for, in so far as it is possible to do so without unjustifiable labour.

Statement.

Year.	Districts notified under the Indian Criminal Law Amendment Act, 1908.	Association declared unlawful under the Indian Criminal Law Amendment Act, 1908.	Reasons for such declarations and notifications.	Names of districts from which the operations of the notifications has not been withdrawn up till now and the reasons therefor.	REMARKS.
1	2	3	4	5	6
1921 ...	The whole of the Punjab	Bodies known as the Congress, Khilafat and National Volunteers.	The declaration was issued in view of the fact that these bodies had been found to be guilty of intimidation or the encouragement of intimidation of persons pursuing their lawful avocations.	...	Information on parts (iv) and (v) are not available and to attempt to collect it would necessitate an undue amount of time and labour which is not considered justifiable.
1922 ...	The districts of Rawalpindi, Ambala, Lahore and Amritsar.	Ditto ditto.	Ditto ditto.	See column (2). The reason was that the activities of the volunteers in these districts had not subsided as in the case of the other districts and Government was apprehensive and therefore did not withdraw them from the operation of the declaration.	Ditto ditto.

1923	...	1. The district of Ambala, Lahore and Amritsar as far as (a) in column 3 is concerned. 2. The whole of the Punjab so far as (b) in column 2 is concerned.	(a) Bodies known as the Congress, Khilafat and National Volunteers. (b) Bodies known as the "Shiromani Gurdwara Parbandhak Committee" and the "Shiromani Akali Dal" and all Jathas organised by or affiliated thereto.	Ditto	ditto.	Ditto	ditto.	See column (2). In the case of (1) the reasons are the same as in the previous year. As regards (2) the reasons will be found in Notifications Nos. 23772 and 23773, dated the 12th October 1923		Ditto	ditto.
1924	...	As in 1923	...	Ditto	ditto.	Ditto	ditto.	Ditto	ditto.	Ditto	ditto.
1925	...	As in 1923	...	Ditto	ditto.	Ditto	ditto.	Ditto	ditto.	Ditto	ditto.
1926	...	As in 1923	...	Ditto	ditto.	Ditto	ditto.	Ditto	ditto.	Ditto	ditto.

PROMOTIONS IN THE IRRIGATION BRANCH OF THE PUBLIC WORKS DEPARTMENT.

2753. Lala Bodh Raj: (*a*) Will the Government please state the dates when Messrs. Wade, Moore and Muhammad Amin Khan, Circle Head clerks in the Irrigation Branch of the Public Works Department, Punjab, retired from Government service?

(*b*) Is it a fact that the recommendation rolls of the clerks on the provincial scale of the Irrigation Branch, Punjab, are submitted yearly by the Superintending Engineers to the Chief Engineer in which recommendations for promotion are definitely made?

(*c*) Will Government please state the reasons why substantive promotions have not been given to the junior clerks by virtue of the vacancies referred to in (*a*) above?

(*d*) Is it a fact that the vacancies in the above departments in the districts are not filled up as promptly as in the office of the Civil Secretariat, Irrigation Branch?

The Honourable Mian Sir Fazl-i-Husain:—

(*a*) Mr. G. A. Wade retired on 18th July 1924.
Mr T. W. Moore „ „ 15th November 1924.
K. S. K. Mohammad Amin „ „ 6th October 1925.

(*b*) Yes.

(*c*) In such a large establishment as the clerical branch of this Department it is difficult and even unwise to make substantive promotions as soon as vacancies occur. Before being promoted men should be tried in an officiating or acting capacity in order to test their fitness for the particular posts they may have to fill substantively.

Secondly, the exigencies of the public service have to be considered and it may not always be possible to select a man whose promotion is due on account of his holding some other post from which he cannot be spared. Thirdly, a man who is due promotion may be on deputation or on long leave.

(*d*) No.

PROVISION OF CROCKERY, ETC., IN REST-HOUSES.

2754. Lala Bodh Raj: (*a*) Is it a fact that crockery and cutlery have been provided in all the rest houses of the Public Works Department, Punjab, at the cost of the Government? Is it a fact that they were not formerly so provided?

(*b*) Is it a fact that the Government intends to stop the issue of such articles in future at Government's cost to the touring officers?

(*c*) Will the Government please state what has been the average expenditure on account of crockery and cutlery for the I class and II class Rest houses respectively in the Irrigation Branch?

(*d*) Will the Government please state what daily rent is charged for residence in the Rest houses from private gentlemen and from the Government officials?

The Honourable Mian Sir Fazl-i-Husain :

(*a*) No. It is supplied in some and this since 1875.

(*b*) No.

(*c*) Figures are not available, but enquiries have been made from local officers.

(*d*) In the Buildings and Roads Branch the ordinary charge for a rest-house from those not entitled to free occupation is Re. 0-8-0 per diem. For certain rest-houses advantageously situated the daily charge is Re. 1-0-0 per day of 24 hours. In the Irrigation Branch rent is recovered from officials not entitled to free occupation and non-officials who have received permission to occupy them, at Re. 1-0-0 per head per diem, with an additional charge of Re. 0-8-0 per day in the case of houses provided with crockery and cooking utensils, etc.

SUPPLY OF PROVISIONS TO GOVERNMENT OFFICIALS ON TOUR.

2755. Lala Bodh Raj: Has the attention of Government been drawn to the allegation that some of the Government officials on the running canals while on tour take their family members along with them and that their subordinates are required to supply provisions for them such as butter, milk, chickens, etc., and that the burden of such supplies really falls on the zamindars ?

The Honourable Mian Sir Fazl-i-Husain : No, Government is not aware of any such allegation.

STAY OF A JUDICIAL OFFICER AT HISSAR FOR MORE THAN TEN YEARS.

2756. Lala Bodh Raj : (*a*) Is it a fact that a judicial officer at Hissar has been in the district in the capacity of a Munsiff and Extra Assistant Commissioner for more than ten years? If so, what are the special reasons for not transferring him from the station ?

(*b*) What is the maximum period for which such an officer can ordinarily be posted at a time at one station ?

Mr. J. M. Dunnett : (*a*) No.

(*b*) The honourable member is referred to the reply given to Council Question No. 1735.*

STAY OF POLICE OFFICER AT HISSAR FOR MORE THAN FIFTEEN YEARS.

2757. Lala Bodh Raj : (*a*) Is it a fact that a police officer, Hissar, has been in the district in the capacity of a Court Inspector and the Deputy Superintendent of Police for a period of about fifteen years ? If so, what are the special reasons for not transferring him from the district ;

(*b*) What is the ordinary maximum period for which such an officer can be posted at a time at one station ?

The Honourable Sir John Maynard : (*a*) Yes. His local knowledge has been found useful.

(*b*) No maximum period is fixed in the cases of Inspectors and Gazetted Officers of Police.

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*Vol. VIII-A, page 869 and Ap. V, page lxxv.

REPRESENTATION OF DEPRESSED CLASSES IN MUNICIPALITIES.

2758. Lala Bodh Raj : (a) Will the Government please state if there are any representatives of the depressed classes in the Punjab on any municipality ? If so, how many representatives are there and in what municipalities ?

(b) If the reply to (a) above be 'none', does the Government propose to consider the desirability of nominating members of their class or the advocates of their interests to the municipalties with a view to represent their interests in the municipalities ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) Although the term "depressed classes" has not been defined in the question, all classes are represented on Municipal Committees in the Punjab inasmuch as no distinction is made against any class in the electoral rules, and a member of any class possessing the necessary qualifications may exercise his vote in favour of any candidate standing for election. Government have no intention of extending the system of communal representation by allowing separate representation to the depressed classes.

(b) If and when there appears to be any necessity for such nomination on any municipal committee, the matter would be taken into consideration when making nominations.

EDUCATION AMONGST THE DEPRESSED CLASSES.

2759. Lala Bodh Raj : Will the Government please state what special steps have been taken by the Government to promote education amongst the depressed classes or to improve their social, moral or political condition ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The honourable member is referred to the Annual Reports of the Department of Education and, in particular, to C. M. No. 210-G. S., dated June 13th, 1923. Copies of these have been sent to him.

RESIDENCES OF DEPRESSED CLASSES.

2760. Lala Bodh Raj : Is it a fact that the quarters inhabited by the depressed classes in several municipalities are all ill-lighted and ill-paved. If so, what special efforts is the Government taking to remove such defects ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The matter is for the committees of the municipalities concerned to consider. Government have no reason to suppose that those bodies will not pay due attention to specific complaints brought to their notice in this connection.

LAND IN MUZAFFARGARH.

2761. Lala Bodh Raj : (a) Is the Government aware that large tracts of culturable land within the beat of Ganesh Wah and Taleri Wah flood canals in Muzaffargarh lie waste and are getting deteriorated in consequence of being insufficiently and irregularly watered resulting in famine, poverty and devastation of the people affected thereby and that such a state of affairs is threatened further to be aggravated when Bahadur Shah Haveli canal project is taken up in hand or is brought into completion ? If so, will the Government please state what substantial means the Government intends to adopt to remedy the evil ?

(*b*) Will the Government please state what percentage of culturable area is yearly returned as *Kharaba* for want of water in the tahsil of Muzaffargarh?

(*c*) Is it a fact that some of the tenants are leaving the tahsil of Muzaffargarh for canal colonies while others have left the profession of agriculture and taken to other avocations?

(*d*) Is it a fact that the agriculturist in the district is heavily indebted and that one of the main reasons for his indebtedness is that he has invested his capital in his land without any substantial return owing to failure of crops for want of water?

(*e*) Is it a fact that the value of land has been going down in the district?

(*f*) Is it a fact that the representations have been made to the authorities on the subject by the affected people of the district?

If so, what action has the Government taken in the matter or what action does it intend to take?

The Honourable Mian Sir Fazl-i-Husain: The attention of the honourable member is drawn to the remarks made by me in the debate on the 13th January 1926 at pages 98-100 of the printed debates, Volume IX, No. 3.

GOVERNMENT'S DEMANDS FOR GRANTS.

LAND REVENUE GRANT (CONCLUDED).

Mr. President: The Council will now resume discussion on the motion* of Lieut. Sardar Sikandar Hayat Khan.

Lieutenant Sardar Sikandar Hayat Khan [Attock (Muhammadan), Rural]: Sir, yesterday the honourable the Financial Commissioner said that my figures were wrong. He gave us certain information about Chach and said that the rate for *chahi* land was Rs. 10 per acre and not Rs. 8. He further wanted us to be grateful for the reduction; let me assure him, Sir, that we are thankful for small mercies. He also said that if I had taken a little interest in the assessment, I would have found out that it was Rs. 8 and not Rs. 10. As a matter of fact, Sir, I think I do take a little interest in the assessment of the Attock tahsil as I found out that orders had issued but a few days ago as the honourable Financial Commissioner informed us, but they were sent some time ago, in January, because when I went to Campbellpur on the 14th of February last, I found that in two circles of the tahsil the assessment had already been announced, and that the *Chach* assessment was being announced on that date. It might also interest him to know that more than 50 per cent. of the assessment in the *Chach* tract are over Rs. 10 an acre for *chahi* land.....

Diwan Bahadur Raja Narendra Nath: On a point of order, Sir, is the honourable member replying to the motion for reduction? Is he entitled to give a reply?

Mr. President: It appears that the honourable member was apparently not present in the House yesterday when I was asked to give a ruling on the point now raised by him. The proviso to Standing Order 33 expressly gives a right of reply "in the case of motions relating to supplies made under Standing Order 73."

* "That the grant be reduced by Re. 1 with respect to the item of Rs. 4,18,800—Survey and Settlement Parties."

Lieutenant Sardar Sikandar Hayat Khan: Sir, I think the honourable the Financial Commissioner will admit that it is not lack of interest on my part that is responsible for my statement of yesterday but lack of information from the Government. Then, Sir, he also elaborately described the process by which these figures were arrived at. I fail to understand how that fine process could be responsible for an assessment in the Attock tahsil which is considerably higher than that on the *chahi* land in any other parts of the province, which are more fortunate as regards rainfall and other conditions. As a matter of fact I find that the assessment of the Attock district is four or five times higher than the assessment of *chahi* land in any other district where conditions are analogous. I further contend, Sir, that the *chahi* rates in Attock, which the Financial Commissioner compared with the irrigated rates in the colony areas, are greater than the rates in the areas which are irrigated by the canals applied by the Government at great expense. He himself quoted the Gugera branch rates yesterday, which were Rs. 4-12-0 and Rs. 4-5-0, while the *chahi* rates are on an average Rs. 8.

Mr. C. M. King: It is Rs. 4-5-0.

Lieutenant Sardar Sikandar Hayat Khan: I may point out, Sir, that yesterday I gave fixed rates in other districts. I submit again that while the highest figure is Re. 1-7-3 in other districts, it is Rs. 8 in Attock. As regards the point that we can have two harvests in a year, I submit that as a matter of fact these rates have been assessed on the assumption that we grow tobacco and sugarcane and the honourable the Financial Commissioner knows that sugarcane is an annual crop and that you cannot grow any other crop in the same year.

The Financial Commissioner also said that another reason why these *chahi* lands were so highly assessed was that the average price of *chahi* lands was Rs. 1,043 per acre. I am afraid that he has omitted to see the note made by the Settlement Officer himself about these rates. With your permission, Sir, I will read out the Financial Commissioner's remarks about these rates. He said—

اس بیشی کی کچھ وجہ تو یہ ہے کہ زمینداران برقسمت فروخت اراضی خود اپنے
پٹہ داروں کے دعاوی شفع روکنے کے واسطے اکثر اوقات اصل ادا شدہ قیمت سے زیادہ رقم
کا اظہار کرتے ہیں۔لیکن اوسط قیمت زر رہن فی ایکڑ میں جیسا کہ نقشہ ذیل سے ظاہر ہوگا
اسوز بیشی ہے

Then he gives the mortgage figures which he says are more correct than the actual figure of sale price. Sir, the Financial Commissioner also said that if I had contended that the whole province was over-assessed then I would be justified in saying in the Council that the assessment should be reduced all round. I do not see any justification in those remarks, because I contend that Attock is one of the poorest districts in the province as shown by official views which I read out yesterday and is more heavily assessed than any other district in the province, which is most unjust.

Does the Financial Commissioner mean that we should not come and lay our grievances before the Government even when we have been treated

much more harshly than other districts? Does he want us to abide by the saying :—

Marenge our rone bhi na denge.

(Beat I must and at the same time will not allow you to weep.)

He also said, Sir, that it was difficult for the members of the Council to understand this mass of figures which was quoted in the Council. As a matter of fact, I think, it would be difficult to understand these figures, if the members had no zamindars amongst them; but I submit that even others can understand them as I have only tried to show by comparison that we were more highly assessed than any other district in the Punjab and my contention was that a poor district like Attock deserved consideration instead of being over-assessed even more heavily than the colonies. It was pointed out by the Financial Commissioner that I was anticipating with regard to Pindigheb and Fatehjang tahsils about which no report had been received by the Financial Commissioner. But a few minutes later he contradicted himself by saying that the forecast report had been prepared and sent up to Government and orders were passed on these forecasts. My point was to show that in these two tahsils, Fatehjang and Attock, the hands of the Settlement Officer have been tied down and it would not be possible to consider the increase on the merits of these two tahsils.

Then he went on to point out that in different circles of the Attock tahsil, only 24 per cent. to 26 per cent. net assets had been taken. Sir, if the above 24 per cent. was correct, I fail to see how the settlement can be justified in taking one-third nett assets in Talagang which is a poorer tahsil. Their lot must be hard indeed if the one-third in their case has been computed in the same way as in Attock tahsil. I quoted one instance yesterday in regard to sugarcane, how the Settlement Officer computed the average yield per square of land in the Attock district at Rs. 12,000 per annum. I dare say that, that 33 per cent. on Talagang, was also arrived at by taking similar figures and similar computation of yields and prices. It has also been said that Talagang was one of the poorest tahsils in the Attock district.

Mr. C. M. King: Pindigheb and Fatehjang and Talagang.

Lieutenant Sardar Sikandar Hayat Khan: The Settlement Officer says that the Attock tahsil is better off than Talagang except for one or two portions. I do not see why that poor tahsil should be compelled to pay one-third instead of one-fourth. If Talagang tahsil is poor, surely it is only fair that it should be treated more leniently than the Attock tahsil. It was said, Sir, that they took only one-fourth from some of the rich, but that one-fourth was arrived at by taking Rs. 12,000 as the gross yield per square of land. Talking of the yield, I forgot to mention yesterday, that in the best colony lands, according to statistics, and the experiment carried out by Government yield was Rs. 71 per acre, which works out at about Rs. 1,800 per square as compared with Rs. 12,000 estimated in our case. One of the reasons which the Financial Commissioner gave yesterday was that those *chahi* lands in the Attock tahsil were really assessed lower than other districts as their yield was considerably more—that we harvest (بوسو) gold. As a matter of fact, I am prepared to challenge that statement. That in other districts—even the more developed—the assessment on *chahi* lands is much smaller. Hoshiarpur and Jullundur, quoted yesterday, are two of the examples. As a matter of fact, that argument rather went against him than

[Lt. Sardar Sikandar Hayat Khan.]

in his favour, because after all a well costs a certain amount of money to dig. There is the cost of sinking and equipment and the smaller the area the greater the capital to be spent and the return on the smaller area could not possibly pay a good return after paying the overhead charges and the interest on capital. The Financial Commissioner would have found out if he had taken a little interest in Attock, instead of charging me for the lack of interest, that the reason for so many wells commanding small areas in *chach* in the Attock district is due to the large number of small holdings and the factions among the people. That is why instead of putting one well, they have to dig separate wells even in small plots of land. I do not see any justification for his comparing Jullundur with Attock district. I do not see any one point in which it can be compared with Jullundur. If the Financial Commissioner will take the trouble of comparing the rainfall of the various districts, he will find that Attock in its north-east portion has got less than 25 inches, while Jullundar has got 46 inches per annum. Then as regards communications, Jullundur has a net-work of communications, roads and railways. The people are served by good roads and railways, while in Attock we have one Grand Trunk Road which serves only the Attock tahsil and no other portion of the district.

He also mentioned that the question of indebtedness has been mentioned by the Settlement Officer in his report. I dare say it was mentioned, but I want to know whether it was taken into account when the assessment was made in the Attock district. I am prepared to say that it was not taken into account when making this assessment. I submitted yesterday that the interest on debt calculated at the lowest rate comes to 30 lakhs per annum. This was computed from the official reports. It is no consolation to us to know that the question of indebtedness was mentioned by the Settlement Officer. What we want to know is whether that state of indebtedness was taken into account when assessing the people.

Then, Sir, it was also stated yesterday that the 33⅓ per cent. should be spread over the whole district, and that the Settlement Officers should be allowed to vary the rate of incidence in different circles, in different holdings and in different estates. I think it is unfair to empower a Settlement Officer to decide the pitch of assessment according to his sweet will; and the vesting of such power in a Settlement Officer would practically nullify the object of the new Land Revenue Amendment Bill which is coming before this Council at a later stage. What I contend is that a land which is *barani* in this settlement would be *barani* land the next settlement also unless it is converted into *chahi*, and if it is *barani* in the next settlement, the Settlement Officer should not be allowed to raise the land revenue beyond 33⅓ per cent. If it is converted into *chahi* land, then of course he should be allowed to assess it on *chahi* basis. Even in that case he should not be able to assess it at more than 33⅓ per cent. on the *chahi* rate in the previous settlement. If that is not done, I am afraid that there would be inequity and injustice, as I submitted yesterday in discussing the case of Attock tahsil. The Honourable the Revenue Member was kind enough to acknowledge the services of the Attock district and showed his appreciation, but I must say that mere lip-sympathy and lip-appreciation will not go a long way to help us. After all I am not asking for any special reward for the services rendered by the Attock people. I am merely asking for justice and fair play. The services rendered by the people of Attock have been

ignored. What is the good of mere wordy appreciation? Government cannot be of any use to us in the world hereafter. If they do not even feel in a mood to treat us fairly and justly, we would much rather not talk about it.

There was a policy some years before the war which I am glad was dropped by Government; and it was thought in some quarters that the peasant proprietors were a nuisance, and that they should be done away with, and that there should be no middlemen. I am glad to say that that policy was abandoned long ago, especially during the war. During the war, these middle classes, these much despised and much maligned people proved to be the backbone of the country and they helped to win the war. As I already submitted, Sir, we want no reward, no special concessions. We want only fair play and justice as compared with other districts which are better off than ours. I would also appeal to the honourable the leader of the House to put in a kind word for the poor people and come to their succour and make them feel that their cry is not after all a cry in the wilderness.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I have just one or two points to mention. Firstly, it was stated by me yesterday that the *chahi* lands in the Attock tahsil constituted 9 per cent. of the area under cultivation. The honourable member from Attock has corrected me, stating that it is really 20 per cent. and not 9 per cent. I stand corrected. The second point that I wanted to mention was this question of assessment on cropped area. The Financial Commissioner said that it amounted to Rs. 4-5-0 per acre. The honourable member from Attock insists that it is not so and he further insists that the assessment in Attock tahsil is higher than in Gugera canal circle and in other places. Well, as I said yesterday, there are two allegations and both are allegations of fact and I believe the honourable members of this Council cannot definitely arrive at any decision on the points at issue. All I can say is that the Financial Commissioner has all the figures of the various places before him and he has made the statement after comparing the assessments in different parts of the province. I do not think the honourable member from Attock has had that advantage. Therefore, unless later on, a direct reference to the various assessment reports leads me to believe to the contrary, I would naturally be prepared to take the statement of the Financial Commissioner as correct.

Then, the third point is this. A general appeal in the interests of the poor has been made to me. I have always placed before my rich friends the claims of the poor and it is not likely that in my office I would forget the claims of the poor. To be a little more precise in our discussions, is it not a fact that the poor of the Talagang tahsil have been very sympathetically treated by the Settlement Officer?

Lieutenant Sardar Sikandar Hayat Khan: Question.

The Honourable Mian Sir Fazl-i-Husain: The honourable member says, question. The day before yesterday, I glanced through the assessment report of the Talagang tahsil and I can bear witness to the solicitude which that report discloses in the mind of the author of the report towards the people, especially the poor people.

Coming now to the Attock tahsil itself, Sir, I can also state that really the issue before us does not relate to the poor of Attock but to the rich of Attock. The poor of Attock have been treated leniently. (*A voice, Question.*) Again, Sir, I would say that the advance of the assessments in the

[Hon. Mian Sir Fazl-i-Husain.]

case of *barani* lands is very small and when the honourable member has had an occasion to study how the orders stand with reference to these areas, he will realise that there is no justification for questioning that statement. Let me not be misunderstood to mean that the rich of the Attock are not entitled to receive justice and fair play at the hands of Government or of this Council. From the large advances in the present assessment over the past assessments, a casual observer might feel that probably the rich of the Attock tahsil have been perhaps not tenderly dealt with. A closer study of the asses ment report will however make one realise that the idea of that casual observer is not well founded. Still, Sir, I repeat to-day what I said yesterday that if the rich of the Attock tahsil can show by reference to facts and figures that anywhere in the settlement report or in the orders issued by Government there is a mistake or anything approaching unfair or unjust treatment of the claims of the rich, even there it would be open to them to make a representation and Government will give that representation its due consideration.

Malik Firoz Khan, Noon: What is meant by the rich, Sir?

The Honourable Mian Sir Fazl-i-Husain: The word is not a very difficult one to understand or to explain. By the rich I mean in this discussion those who are endowed with large areas of land—the land which has the advantage of being irrigated either by well water or by canal water.

Lieutenant Sardar Sikandar Hayat Khan: And what is meant by 'large'?

The Honourable Mian Sir Fazl-i-Husain: The honourable member understands that where the average holding in the province amounts to a few acres, the possession of two or three squares of land is considered to be a fairly large amount.

Mr. President: Grant under discussion, motion moved:—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 4,18,800—Survey and Settlement Parties."

The question is that that motion be adopted.

The motion was lost.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, I beg to move—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 2,28,270—Total Nili Bar Canal Colony."

Being a representative of people living in the Nili Bar, Sir, I thought I should be failing in my duty if I did not open a discussion to draw the attention of Government to certain facts which, in my opinion, are vitally important to the interests of the country and of Government. Sir, I do not wish to pass a vote of censure. My only object is to open the discussion on the subject, and to get an assurance from Government that due attention will be given to the subject. That being so, I have to say that I agree a good deal with the proposals of the Government. Most of them are very good, some defects in the case of the Lower Bari Doab Canal Colony have been omitted and a great deal of regard has been paid to the fact that land should not pass to those who do not deserve it. But, Sir, there are other points where I do not agree with Government and I want to draw the attention of the Government to those points. If I am wrong, I hope I will be corrected.

In the first place, the locals of the Nili Bar are not treated properly. They are the sons of the soil. They have the first right upon Government land. It is not proper for the state to drive these people away, nor is it proper for Government to bring in people from other districts in their place. If the locals are fully accommodated, then it is, of course, open to Government to introduce people from outside. If I am right, provision is made for these locals on non-perennial area. Has Government ignored the fact that they have no capital in their hands? In order to live upon that land they will have to sink wells and for that purpose they will need money But where are they to get money from? They will have to wait till they have got money to sink wells. That means an economic loss to the province. If instead of giving land to the poor, Government had sold it to the capitalist they could have arranged very easily to sink wells, and this economic loss would have been averted. My suggestion is that whenever possible these people should be accommodated on the perennial section of the Nili Bar colony. In Lyallpur and Sargodha they got land on the perennial section of the colony.....

Malik Firoz Khan, Noon: No, Sargodha people did not.

Sayad Muhammad Husain: Sir, I am talking of the locals of Sargodha on those areas which are perennially irrigated. Perhaps the honourable member has misunderstood me.

My second point is that the land on the Khadar branch of the Nili Bar is very inferior, and if these unfortunate people are accommodated in that part of the country they will get very little income out of it. Ultimately they will either have to sell their land or to leave it and go away. My third point is that the unit fixed for them is too low. First of all, the land is not perennially irrigated; secondly, it is inferior and, thirdly, the unit fixed is too low. A unit of 15½ acres of land per family is too low. It should be increased. Government knows how quickly the Janglis multiply, and it will have to consider how to accommodate them all. That is my third point.

My fourth point is this. I do not exactly know how much, but a considerable portion of land, I think one-third of the whole, has been earmarked for sale by auction. Sir, in the remarks of my friend Mr. Miles Irving in the Memorandum which he has presented to the Council, he says what will be the policy of Government in future. I attach great importance to the remarks made by him. He has stated that Government wants to raise the standard of agriculture in this province to that of Denmark, and I want to draw the attention of the House through you, Sir, what the Government of Denmark did for their peasants. They saw that most of the peasants had no land, and they secured for several peasants land of equal unit. How much, five or six or seven acres I do not exactly remember, but Government considered it their duty to secure for the landless tenants a portion of land either from the rich people or by some other means. The Punjab Government could determine the price of the land first and then give to the peasant proprietors one square or half a square each and realize its price by instalments with or without interest as they thought proper. But instead of doing that, Government is going to sell by auction about one-third of the land. What will be the economic result of that? It will be this, that absenteelandlords will be introduced into the colony. This is a phenomenon which no one would like to see. Any capitalist living in a different district could buy land and put tenants upon that land. He would be absent himself and would try by all possible ways to exploit his tenants. The result would be that there will be very poor tenantry who will

[Sayad Muhammad Husain.]
not put heart and soul into the work. The income from land in that case would be much less than it would have been had the land been given to peasant proprietors who till their own land. It is immaterial for Government as to who gets the land as long as money comes in. By giving land to the homeless, Government would be settling them and improving the economic condition of the province.

I would request Government that they should sell a certain amount of land, 15,000 acres or 20,000 acres. After determining the price of land, Government should ask Deputy Commissioners of districts to find out if there are tenants willing to buy land and then sell it to those who are willing to buy it. In this way Government would considerably improve the economic condition of the province. These are two inconsistent things. If the Government really wants to improve the economic condition of the general agricultural population of the province, it must be its duty not to sell the land by auction but to sell them to the agriculturists and realise the price from them in instalments.

Now, Sir, I have to make another remark. There are several villages in the districts of Ferozepore and Montgomery where lands have been taken by Government. I can cite examples of many villagers who have lost all their lands, Government having taken away those lands for the construction of canals or weirs there. It must be the duty of the Government to accommodate these people who have lost their lands on account of the construction of the canal in the Nili Bar. I am glad that the inhabitants of certain villages in the district of Montgomery have got their lands, but there is one very hard case in the district of Ferozepore. There is the village Jhingar where the lands have all been taken away by the canal department and the money value to the extent of 2,65,000 rupees have been given in exchange. It was the duty of Government to give land in exchange for the land they had taken. After all, these are illiterate people, and they have already spent away 65,000 rupees. The Government should tell them that they may invest their money in the Nili Bar lands, so that they may live on the interest allowing their capital to be secure. If they get only temporary cultivation when the time comes and the Government asks them to pay the prices, the illiterate people would have spent all their money. Even now, to-day out of the Rs. 2,65,000 which they got as the price of the land taken away by Government a little over 2,00,000 is still with them. It is time for the Government to ask the Registrar of Co-operative Societies to take their money and deposit it in the Central Bank or for the Government to take the money itself and give them land afterwards. If the Government does not do this, it will be failing in its duty to the poor zamindars whose lands it has acquired.

The third case is the one of the many hundreds of people who have lost their land on account of water-logging in the district of Gujranwala Sialkot and many other districts. These people have a prior right as well to the lands in the colonisation scheme. They are the people who have lost their lands on account of the action of the river, alluvion or dilluvion, their lands have been washed away by the action of the river and they have become homeless. The attention of the Colonisation Officer should be diverted to this fact that those people who have lost their land on account of the river action should be first accommodated.

Then there is the case of Muzaffargarh. The Government might relieve the poverty of those people by giving them sufficient quota of squares in the colony.

Lastly, Sir, I will be failing in my duty if I do not make an observation that the colony staff is performing its duty quite satisfactorily. I should say that the present Colonisation Officer and his staff are doing their duty quite well to check corruption.

As regards the Janglis, I have to make one observation more. It is only those people who are leading a pastoral life that are enlisted. There are other people who have been living from time immemorial in the colony. Their rights must also be considered. These are the people who have been doing temporary cultivation even from the time of the advent of the British Government into this province. They are the people whose lands are now lying desolate because the river has ceased to flow because of its diversion. They have suffered a good deal. Lastly, the claims of the poor peasant proprietors who are having only small uneconomic holdings such as two or three acres must also receive consideration. With these words I move for the reduction.

Mr. President: Grant under discussion, motion moved:

> "That the grant be reduced by Re. 1 with respect to the item of Rs. 2,28,270—Nili Bar Canal Colony".

The question is that that motion be adopted.

Sardar Randhir Singh [Sialkot-*cum*-Gurdaspur (Sikh), Rural] (Urdu): Sir, as the question before us now is about the equitable distribution of land in the Nili Bar, I will be failing in my duty if I do not avail myself of this opportunity and draw the attention of the Government to the claims of the people of my district.

Sir, the district of Sialkot is an unfortunate district. The people there are very poor and the causes that have contributed to that poverty are more than one. In the first place, the holdings of the proprietors in that district have been very much reduced so much so that the average area of a holding is about two kanals and even less than that. The Upper Chenab Canal has done great harm to the lands of that district. Mr. Sangster will bear me out when I say that on account of the existence of the said canal, the lands of many a village in that district have become unculturable and useless and consequently numberless zamindars have become poor. That is not all. On account of the existence of the canal and consequent seepage of water, the general health of the people has deteriorated, and in some of the villages one can see one house or the other tumbling down every day. Needless to repeat that all these causes have combined to make the people of my district poor and miserable, and it is why I take this opportunity to request the Government that before lands in the Nili Bar are granted it will kindly see that the deserving people of the Sialkot district are sufficiently provided for. My request is all the more reasonable because the canal, which I should say is mainly responsible for the poverty of the people, was constructed and opened by the Government, whereby the Government has gained much and is still gaining in the shape of revenue from the lands that the said canal irrigates. To further illustrate my point, I will refer briefly to a tract in the Sialkot district which is known as Bajwat. Before the opening of the Upper Chenab Canal, one could call that part of the country the Venice of India. At one time the people from

[Sardar Randhir Singh.]

different quarters used to flock to Bajwat to enjoy its beautiful gardens, trees, verdure and the mangoes in which it abounded. But all these attractions have now ceased to exist. Since the construction of the Head of the Canal, the river that used to irrigate lands in that ilaqa has changed its course and consequently those lands are practically lying waste. Where three crops could be grown previously, it is difficult to grow even one crop now, and therefore the prices of those lands have considerably fallen down. Therefore I say that the people of the Sialkot district are the most deserving people, and I hope that their claims will not be lost sight of when the Government is distributing land in the Nili Bar.

I have one thing more to say and that is about that class of hereditary Sirdars and the landed gentry of the Province who have been reduced to a state of poverty by one reason or the other. It is hardly necessary for me to say that this class forms the backbone of the country and the Government. These people have been helping the Government through thick and thin. They are the most loyal people. They have always remained by the side of the Government whether it was engaged in war against any foreign enemy or whether it was taking steps to put down the non-co-operators. But as I have said before, this class has, by the vicissitudes of time, become poor. Their case becomes all the more pitiable and deserving of favourable consideration when we find that they must maintain their position because of the simple fact that they belong to very high and renowned families. Before I sit down I again express this hope that the Honourable the Revenue Member will not ignore this class when distributing land in the Nili Bar.

Rai Bahadur Sir Gopal Das Bhandari (Non-official, nominated): Sir I am not an agriculturist nor have I much land, but I could not keep myself sitting without making one remark. In ingorance of the fact as to what shall be the guiding principle in the distribution of land, I think that the suggestions which are from time to time made by the members should only be considered as imaginary. A proper discussion can only be when the matter is before the House and when members are cognisant of the fact that this is the way how the Government is going to distribute land and thereafter suggestions can possibly be said to be effectual. Otherwise all these suggestions will be useless.

But one observation which I wanted to make is that those persons who have become magnates by getting lands in the Lyallpur and other districts should not get any more land. I know they have got very much influence, but I think the Honourable Member for Revenue is not liable to be influenced to any great extent by them.

What I beg to submit is that those rich magnates should not come in again to get lands. Let these lands be given to poor persons. Let the lands be put up for auction. All these things I wanted to say the other day during the general discussion of the budget, but unfortunately I was not able to catch the eye of the President, and I was therefore deprived of the opportunity to make certain suggestions. I submit that we should not forget the hint which was given by the Honourable the Finance Member in introducing the budget, namely, that we should not fritter away the lands which are intended to be utilised in building up the nation. My own suggestions are these. These magnates have been enjoying all the lands for a long time and they have become fabulously

3 P.M.

rich. So the lands which were given to them should be restored back to augment the resources for development purposes and lands that are now available for distribution should be given to the nation-building departments. That was the suggestion that I wanted to make. I do not know how far this would be acceptable to those who already possess lands. This important matter should be borne in mind in any distribution of the lands. Those who already possess lands in Lyallpur and Montgomery should not lay any more claim to a share in these lands. They are already feeding themselves fat on the lands that they have got. There should be fairplay.

Diwan Bahadur Raja Narendra Nath : Except by auction.

Rai Bahadur Sir Gopal Das Bhandari : Let him who pays more money take the land. But at the same time I wish to say to the House that if a land is put up for auction, those who are rich will outbid those who are poor, and thus those who are already deriving a good out-turn from their present lands will get even more, and thus will increase their riches. I do not wish to give out the names of any individuals, but there are many gentlemen who own hundreds of squares of land and no opportunity should be given to any of them to acquire more. I am sure the Financial Commissioner will also endorse my remarks. There was a rule, Sir, that lawyers should not acquire lands. Yet I knew in the days when I just entered the legal profession many lawyers were recommended by the Extra Assistant Commissioner of Amritsar for the grant of lands, though I myself did not apply for the same. There was a rule prohibiting the lawyers from acquiring the lands, but yet it was violated. I therefore submit that the most important factor that is to be borne in mind is that the poor people alone should be given lands.

Before I sit down, I wish to touch upon another point. It is said that there are many high families who on account of certain extraneous circumstances have now become the owners of many squares of land. I do not want to mention any names, but I can give their names to the Financial Commissioner in confidence if he wants, there are many Sardars who had already many squares of land but who feigning to have become indigent have acquired more lands, in many cases 13 or 15 squares. If any one wants to contradict me, let him do so, but I can silence him by giving out the names of these people. They were really not poor, and at the same time they pretended poverty just for the sake of getting lands. The only reason that they can give for being granted lands was that they were loyal in the days of the Sikh supremacy. They were given lands for their loyalty during the Sikh Raj. But they might have been reduced to poor circumstances. What I beg to submit is—

Awal khesh badhu darvesh.

Why not give attention to those who have loyally served and distinguished themselves under the English Government? Why should you go to the Sikh times. It is not fair that those who served the British Government loyally, who were once rich but who have become poor should not be rewarded for their loyalty. I beg to submit that they have got a prior claim rather than those who twice got preferment, once in the Sikh times and again under the British rule. These are the points which I want to urge for the consideration of the Government in distributing lands in the Nili Bar.

Malik Firoz Khan Noon [Shahpur East (Muhammadan), Rural]: Sir, Nili Bar is a subject which makes the mouths of everybody water. The next election is also coming near, and no doubt it reminds us of our duty to our voters and our constituents as far as their interests in the acquisition of these lands are concerned. For my part, Sir, I am not going to enter into any discussion on behalf of my constituents or my voters, but I should like to draw the attention of this House only to one matter of principle. That matter of principle is the sale of these lands by auction. As far as the Nili Bar goes, I believe there is no intention on the part of the Government to sell land by private treaty. Most of the lands will be sold by auction. My honourable friend from Amritsar has been just putting in a plea on behalf of the landless. If we go into facts and figures of most of these auctions held by Government, it will be seen that the people who purchase the lands are those who already possess lands in the vicinities of lands which are put up for auction. Those who already possess lands bid very high at these auctions. But the money-lenders and those who are landless, before setting out to the place of auction coolly sit down and calculate the return in the shape of interest that they will get on their capital which they might invest in the purchase of land, and if they find that their investment will not pay them at least six per cent. interest per annum, they give up the object of bidding at these auctions. On the other hand, they invest their monies in banks or in some other useful projects which would bring them a better return on their outlay. It is only these foolish agriculturists and zamindars who cannot foresee whether their investment in any further lands will bring them any economic rate of interest on their capital, it is only such persons that bid very high at auctions. At these auctions, there is a fair chance for everybody to acquire lands, and at these auctions the class which my honourable friend wanted to have these lands given to will not come in They are not the people who will find the land worth going in for. At the time of auction there is a certain temperament in the people which I would call land mania. I remember attending an auction at Balwal three or four years ago where some sites were being sold by auction. A certain young man bought a piece of land by bidding very high at the auction. He got it for Rs. 18,000, and for the purpose of building on that site within a year or two he had to spend Rs. 10,000 with the result that his unwilling father had to give out Rs. 28,000 in all for the land and the building. The father of that young man could have very well backed out of the contract by forfeiting the advance of Rs. 2,000, which was paid at first. But he, in order to save his own reputation as well as that of his son, continued in this losing bargain with the result that he had to suffer. What is the income that he derives from the land? It is a paltry sum of Rs. 18 per month. You cannot get any better return for the capital invested in a place like that. If only that young man had been wise enough to invest his cash in banks or in the purchase of shares in industrial concerns, he would have at least got not less than six per cent. I can also tell the case of another man in Montgomery who bid at the auction so high that he found himself financially ruined by the transaction and in the end committed suicide. I have also heard of cases in Sheikhupura and Montgomery where certain men bid so high that they afterwards found themselves quite unable to find the money to pay for the land. What I wish to bring to the notice of Government is this. No doubt as sellers of the soil, the Government is entitled to see that they get as much money as possible out of the transaction. At the same time the Government also owes a duty to the public, and it is

incumbent upon them to protect the insane and the ignorant and save them from their foolishness which they commit on account of their own folly at a time of momentary heat. There are laws to protect children, factory laws to protect women, there are laws to protect the insane man who makes contracts that are not enforceable in law courts.

Rai Bahadur Sir Gopal Das, Bhandari : There are no laws to protect fools (Laughter).

Malik Firoz Khan Noon : Foolishness, I think is a milder form of insanity. If a fool oversteps the bounds of foolishness, he lands himself in insanity. What I really wanted to suggest to the Government was this : that the Government should fix a minimum and maximum price for a square of land, say, 10 or 15 or 20 thousand rupees, in fact the price fixed should be such that the person who buys that land ought to be able to get some sort of reasonable return on his capital, if not 4 per cent. at least 3 or 2½ per cent. When a man goes beyond Rs. 20,000 a square, he is bound to be ruined by the transaction. If the Government should fix the minimum price at Rs 10,000 per square of land and the maximum price at Rs. 20,000, and if the Government should notify that they will not sell the lands for any price higher than the maximum and lower than the minimum, then they will not only be safeguarding their own interests but also save a large number of people from being ruined by their foolishness in bidding at prohibitive prices at auctions. I hope that the Government will seriously consider this question of saving these poor people from their foolishness.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders General] (Urdu) : Sir, in order that my zamindar friends may have no difficulty in understanding what I have to say, I will, with your permission, talk in Urdu. Sir, I have very carefully listened to the speeches made this afternoon by the honourable member from Montgomery and others, and I have come to this conclusion that almost all of them are ignorant as to the guiding principles on which the distribution of land in the colonies is based. Almost all the principles which each of the speakers suggested and on which each of them desired that the Government should act, have, I might say for their information, been acted upon by the Government in the past and are being acted on even now. For example, it was suggested that those persons should be granted land in the colonies who have lost their lands by diluvion. Perhaps the honourable member, who offered this suggestion, does not know that such persons have always been granted lands in the colonies. Similarly the persons, whose lands have become useless on account of water-logging or on account of congestion and what is called pressure on the soil, are also granted lands whenever land is available for distribution. Therefore I say it was not necessary to waste the time of the Council by making such suggestions as are being already acted upon. Of course there is one class, I mean the Janglis, the claims of which have not so far found favour with the Government, and I think my honourable friend from Montgomery was perhaps justified when he made a particular mention of the claims of that class. But here again I might inform my friend that, as far as I know, the reason for which the claims of this class have not found favour with the Government, is quite different from that which he has perhaps in view. While granting land, the Government tries to see that it is granted only to those classes and persons who can easily and efficiently cultivate such land and who will therefore make the

[D. B. Raja Narendra Nath.]

land yield proper income sufficient to cover the expenses that the Government has incurred in providing irrigation facilities and the like. To achieve this end, lands are given generally to good cultivators and hard-working people. As for Janglis they have always been looked upon as people not accustomed to cultivation, indolent, lazy and bad husbandmen. I do not say that the Janglis in the Nili Bar are like their brethren in other Bars. It is possible that they might have become accustomed to cultivation and therefore might be good cultivators. What I mean to say is that if the Janglis were not granted lands in the past, it was not because the Government did not like to uplift the poor, but because there were other reasons which I have stated above. In this connection I might, in passing, say that every Government tries to see that the poor are rightly cared for and uplifted and likewise our Government also has always kept this principle in view. To support my contention I might say that the Janglis, who are not granted lands in the beginning, were granted lands afterwards when they were considered to have become accustomed to cultivation.

This is all by way of reply to certain remarks made by some of the honourable members. I will also avail of this opportunity by drawing the attention of the Government to the claims of the people of the hilly districts. They are generally poor. No doubt many of them possess large areas of land, but perhaps because of the uneven nature of the land or perhaps because they have little capital to invest and there are no important markets near them, the lands in their possession do not yield sufficient even for their maintenance..... .....

The Honourable Mian Sir Fazl-i-Husain: Or perhaps because of the climate.

Diwan Bahadur Raja Narendra Nath (continued in Urdu): I do not think climate is responsible for their poverty. Anyhow they are poor. Being unable to live upon their lands, many of them have taken to service, and there is no class of menial services in which you will not find some one or the other belonging to either Kangra or Hoshiarpur.

As to the claims of the class to which my honourable friend from Sialkot referred, I will say nothing more than quote the following Persian couplet: and then I will resume my seat. The couplet runs thus:—

تو بندگی چو گدایان شرط مزد مکن

که خواجه خود روش بنده پروری داند

Chaudhri Ram Singh [Kangra (Non-Muhammadan) Rural] (urdu): Sir, you have listened to the description of the picture of certain districts drawn by Raja Narendra Nath. Kangra is one of those districts. It has been said that due regard is had of the people whose lands have been washed away by rivers. But, Sir, there are several villages in the Kangra District where thousands of acres of land have been eaten up by rivers leaving nothing but sand and stones where green fields grew and still no land has so far been given to the afflicted people in lieu of these. If, Sir, as it has been said the people are as a rule given land in such cases, I fail to understand why no land has been given to the people in the Kangra District. Sir, in my speech on the budget discussion, which I was not allowed to finish, I told the House that the people of this district have rendered useful services to the Government during the great

war. Their claims for lands in the Nili Bar should also be considered. Then comes the case of zaildars who have given so many recruits and rendered various other services. But while a few of them have been granted land for their services, there are many still whose claims have not been considered at all. I, therefore, invite the attention of the Government members to this fact. Those who have not got any land should be granted some in the Nili Bar. Then, Sir, Raja Sahib has already told you that these hilly districts are too poor to purchase lands. This, Sir, applies more appropriately to the Kangra District. Hoshiarpur is another of such districts. I, therefore, submit that special attention should be paid to the claims of these two districts. With these few words I beg to resume my seat.

Mr. C. A. Barron (Financial Commissioner, Development): Sir, I think the House will agree with me that we have had a most interesting discussion originated by the member from Montgomery. But, so far as my reply to the discussion is concerned, I have been largely anticipated by Raja Narendra Nath, formerly Deputy Commissioner of Montgomery, and an experienced district officer whose knowledge of past schemes of colonisation has enabled him to answer objections raised by the mover of the amendment to the demand for this colonisation scheme.

The main principles which have been laid down for the selection of peasant grantees in the Nili Bar Colony are as follows :—

(1) That a man is likely to make a good colonist,

(2) (*a*) that his land has been ruined by waterlogging,

(*b*) that his land has been lost by chos, nala or river action,

(*c*) that he is an inhabitant of a congested district, or, lastly,

(3) that he is a resident of a tract which has so far received little or no canal land, or is liable to famine, provided that he can make a good colonist and comes from a tract where there is a goodly proportion of men skilled in agriculture.

Those principles cover, I think, most of the claims to which several members have devoted their attention. The mover of the motion, however, brought up also the claims of the local inhabitants and the Janglis prominently to the attack. It is possible, Sir, that in the early days of colonisation scheme sufficient land was not reserved for the local inhabitants. The first large colony was started with grave doubts, and hesitation, and it was not at all certain how far success would be achieved. It was necessary therefore to import those colonists who would make a really good use of the land and help to make the colony a success. Later, it has been discovered that the success of our colonies is a foregone conclusion, and more attention in the new colonies has been paid to the local inhabitants. The Raja Sahib gave the reason why Janglis and local inhabitants do not make always good colonists. These Janglis of the Nili Bar are mostly nomads, and they live chiefly on the proceeds of their flocks and herds and cattle and, I understand, to a great extent on the herds and cattle of their neighbours. These propensities do not conduce to peaceful settlement in a colony village. But we do hope to reform these Janglis in the Nili Bar, and we are reserving for them practically the whole of the non-perennial area, estimated at a little over 200,000 acres. The reason for giving the local Janglis the non-perennial area is that they are already accustomed to the conditions of life in the

[Mr. C. A. Barron.]

Montgomery and Multan districts, and can accommodate themselves more readily to a settled life there than people from outside. The outside colonists even now-a-days have to be given perennial land, and we propose to sell a large proportion of such land by auction and obtain a decent price for it.

The mover of the motion said that 15½ acres of land was not sufficient for a grant to a local inhabitant because, he added, they breed like rabbits. That is the experience in other Jangli districts also, but there is only a certain amount of land, and we have to try to make it go round as many people as possible. It is estimated so far that if we give them 15½ acres each, we will be able to provide for 15,000 grants.

Sayad Muhammad Husain: Each family or each adult?

Mr. C. A. Barron: Each adult grantee.

The next point the mover took was that as much as one-third of the land is to be sold by auction. The reason for that has also been already explained. Before we can start a big colonisation scheme, it has to be ascertained whether it is going to be a financial success and whether the money of the State can profitably be laid out upon it, and it is only from large sales that the profitable nature of the scheme can be ascertained.

The other points raised by the mover I think have already been dealt with—land for the owners of waterlogged areas, and of land taken up for the construction of the canal sites. It is estimated that perhaps 8,000 acres will be required to compensate people whose lands have had to be taken from them in Multan and Montgomery Districts, and 9,000 acres for the Ferozepore and Lahore Districts. I hope that the Council will agree with me that that is a liberal allotment, to prevent people who could otherwise have only been given money compensation for their land from dissipating it.

The member from Sialkot (Sardar Randhir Singh) put in a strong plea for consideration of the people in his district. I think, if I remember rightly, the Sialkot district has already in previous colonisation schemes received more land than any other district in the Punjab. It has always been recognised that Sialkot is a very congested area, and as the cultivators in the greater part of the district are good agriculturists they have been given land. But they will not be excluded from consideration in this case. As to the poor Sardars a certain amount of land will be reserved for the landed gentry who were selected on previous occasions, but who failed to get grants owing to there not being enough land to go round them. They are going to be considered on this occasion again.

My friend from Amritsar (Rai Bahadur Sir Gopal Das, Bhandari) raised a very difficult point. I do not know how we can prevent these rajas of his from bidding at our auctions and thus increasing their holdings. It is possible of course that these rajas themselves may in a generation or two become members of decayed families.

The point raised by the member for Shahpur (Malik Firoz Khan, Noon) has perhaps already been sufficiently answered by the member from Amritsar. His suggestion was to fix a maximum and minimum price at auctions. I don't know if he had worked out the figures; twenty thousand rupees per square comes to Rs. 800 per acre which is a great deal higher than what we expect to get on an average. There may be cases where people may bid against each other out of *zid*.

Malik Firoz Khan, Noon : I was only referring to stray cases of Rs. 35,000 per acre.

Mr. C. A. Barron : Exceptional cases I think make bad law. That is a maxim which the honourable member will be aware of.

In conclusion I should like to acknowledge the tribute paid by the mover of the motion to the Colonisation Officer and his staff at present working in the Nili Bar Colony. It is extremely gratifying to find that their work, very hard as it is and very onerous, is appreciated by the people among whom and for whom they are working (Hear, hear).

Subedar Major Farman Ali Khan [Rawalpindi (Muhammadan) Rural] (Urdu) : Sir, I hail from a district which is grateful for the past favours and thinks it fit to remain patient in the expectation of more. Even when no favour is granted the people of my *ilaqa* have no grievance to make. They will wait more patiently. I, therefore do not rise to curry favours nor to beg for land. All I want is work for my people. There are thousands of our men who are out of work. They go abegging for want of work. I, therefore, stand only to ask you to provide work for them in the Nili Bar or elsewhere, where they might earn their living. Provide them with agriculture or industry. But work they must get to keep their body and soul together. Sir, my people can only do two kinds of labour. They either are votaries of the plough or they worship the sword. Barring these they know nothing. They are not educated. They can take to no other profession. They are very poor too. Not only that, they suffer many droughts and famines. There are more famines in the frontier districts than anywhere else in the province. In other districts it might rain sometime or other. But here even the hills do not have a drop of water. If they get any rain at all, it all flows down to the Jhelum. The ground being hilly not a drop trickles down to the sub-soil. The holdings have very much diminished in size and now people measure land by kanals. Higher up they measure it by *diggis*. These *diggis* are small stretches of land on the sides of the hills measuring a few marlas or so. These they cultivate and get as much as they can. And they can sow only *Jau* in the months of *Chet* which they eagerly await. They long for the time when they may be a little prosperous. They expect the dawn of better days, but will they ever see it ? Will they get enough to eat and enough to protect their skins ? They live in thatched cottages. They own no lands. They do not get good food. They live upon *Bajra*. But that even they do not get in plenty.

The scions of old families have become so poor that they do not get work to earn their living. They have taken to labour. Still they patiently look up to the Government to come to their help. They can only fight and they pray for some war. For then only will they get work to earn their livelihood. But what a pity that there is no war. Sir, middle class people are worse off still. There is no educated man in this part of the country who may go and tell the world how miserable we are. The Financial Commissioner and the Commissioner go only to towns and cities and when they see the people there in gay dresses, they think they are happy and prosperous. But they never go to the villages to feel our misery. I have read in the papers that 50 lakhs have been granted for the upkeep of the graves of the soldiers who fell in the war. But here, even the bereaved of the departed heroes are not looked after what to say of their graves. Relatives of the fallen soldiers are the best people to care for. All these people are soldiers. Look after

[Subedar Major Farman Ali Khan.]

them. This is the best way of honouring the dead. Sir, these are the people who serve you most; even for the meanest work you catch hold of some one with a *Kambli* on. Therefore, try some means to improve their lot. Appoint a committee to go into their grievances. Our land is getting poorer every day, for we get no dung because we cannot keep cattle. Thousands of our people are begging. I, therefore, ask you to provide work for these who served you so well in the past and will serve you in the future. With these remarks I resume my seat.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan) Rural]: Sir, I support my friend the member for Montgomery (Sayad Muhammad Husain) in his request to the Government on this point. I hope when he used the word '*janglis*' he included the Hindu and Sikh aborigines of the Montgomery district (*Sayad Muhammad Husain*: *Yes.*) If he does so, I am very much obliged to him. I asked a question* in the Council on the 4th August 1924 regarding the allotment of lands to Hindu and Sikh aborigines of the Montgomery district, to which the then Revenue Member (Sardar Bahadur Sardar Sundar Singh, Majithia) replied.

> "Orders were issued in July 1923 for the carrying out of a scheme prepared in the previous year for the allotment to *janglis* of a total area of 36,000 acres of inferior land in villages wholly or mainly held by *janglis*. There was no reservation in favour of Muhammadan *janglis* and in fact instructions have recently been conveyed to the local officers that in any distribution of land to locals, the claims of Hindus and Sikhs should not be overlooked."

This is the particular point for which I have taken a few minutes of the Council. Whenever any occasion arises for the allotment of lands, so far as I know, no Hindu or Sikh aborigines ever get any land, or even if they get any land, it must be to a very little extent. In Montgomery district, I know hundreds of Hindus who are not classed as agriculturists according to the Land Alienation Act but they have been living as cultivators from time immemorial. They are by caste aroras and their only business is cultivation. The Financial Commissioner, if he takes trouble, can find these persons in the tahsils of Okara, at Satgara and Gugera and in Dipalpur and Pakpattan Tahsils all these places abound with men who are by caste aroras but they are practically agriculturists. Their ancestors have been Trini-guzars and they have also been paying it. Now that lands are being allotted to various people and as people both from within and without the districts have made their claims in the Nili Bar, I think the claims of these aborigines of Montgomery district, who are the most prominent and important people, should be favourably considered and some allotment should be made for them. I do not wish to say anything at length on this subject. I only want to press the claims of these aborigines on the Government. I do not want to say about others. I feel that others have not half as much claim as the people of Montgomery district have in the Nili Bar. I bring this point particularly to the notice of the Financial Commissioner and the Honourable the Revenue Member.

Chaudhri Sahib Dad Khan [Gurgaon-*cum*-Hissar (Muhammadan) Rural]: Sir, I wish to bring to the notice of the Government the claims of Hissar and Gurgaon in the allotment that they make in Nili Bar lands. Above all, the primary factor that is to guide the Government in the distribution of lands is the condition of the people of a district. The people of other

* *Vide* question 481 on pages 29-30, Vol. VII.

districts have got some lands or other in the colony areas by virtue of the services which they rendered during the war. The economic condition of the Hissar district should be one of the factors in determining which of the people are entitled to get colony lands. I submit, Sir, that the Hissar district is the poorest district in the province and it is poorer than the proverbially poor Muzaffargarh. Many of the villages in Hissar are in a very wretched and miserable condition owing to the scarcity of water. The district is most unfavourably situated from the point of view of supply of water. The people of this district rendered meritorious services during the time of the great war and on account of the fact that no lands were available at that time for distribution the people who had war service to their credit were not rewarded. But they were promised that at the earliest opportunity when land was available for allotment, they would be given some lands. Seeing that lands are now available for distribution and considering the poverty of the Hissar district, I submit that the people of that district should get some share in the lands in the Nili Bar. So is the case with Gurgaon. I therefore appeal to the Government not to overlook the claims of these two districts for distribution of land in Nili Bar.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan) Rural]: Sir, I am sure that the House will whole-heartedly endorse the remarks of the Honourable the Finance Member in the last paragraph of his budget speech, namely that the crown lands are the assets of the province and that they should not be given to people who have no claims to them. Times without number, these crown lands have been given in times past to people who call themselves members of the landed gentry. Now also a claim is put forward on their behalf that some of the crown lands should be given to members of the landed gentry. I wish to ask, Sir, on what grounds they urge their claims in preference to the claims of other people who are living in the province. Is it because that sometimes in the distant past under the Mughal rule or Sikh rule or even under the British rule they got lands free of all cost from the Government of the day ?

Sayad Muhammad Husain : For political service.

Pandit Nanak Chand : Is it on account of the fact that they got these lands free of cost in times past that they want these lands again in the present ? Well, Sir, they say that they are men belonging to the landed gentry, that they have been pioneers so far as cultivation is concerned, and that they have improved agriculture. Unfortunately the experience of the people in the Punjab has been that so far as improvement of agriculture is concerned they have always been backward. If some of them have improved agriculture, if some of them have introduced new methods of agriculture, surely they must have got much return from the land which was freely granted to them and therefore they are in the position of rich men and therefore they do not stand in need of any State help. Those gentlemen who got lands free but have on account of absenteeism or on account of idleness or on account of leading luxurious lives having not been able to get a proper return from the soil have become indigent and poor have no claim to State aid. Is there any justification for the State to give any help to them and thus increase their idleness, and their luxurious habits ? On that account, I submit that these people do not deserve any encouragement or consideration at the hands of the State at this time.

The second point was that they rendered political service and that they were loyal to the British Government. Do you mean to say that other sections and other communities living in the Punjab have been disloyal ?

[Pandit Nanak Chand]

Is there anybody in this House or even outside this House who will say that any member, any section or any community had been disloyal to the Government. There are thousands of people who served loyally and faithfully during the war and these people were recruited from various classes, various castes and groups. A large number of people contributed large sums of money during the war. Do they claim lands on that ground? I submit that it is meanness for people to come forward and ask the Government that because some of them gave loans to Government or contributed to the war loan by purchasing the war bonds they should be rewarded by allotment of lands in the Nili Bar. I submit, Sir, they should not try to cast any reflection on the loyalty of other people. They should not parade their loyalty and on the ground of loyalty they should not ask the Government to give them lands. There are landed gentries and landed gentries. We have got experience of landed gentries in England and there these people are in the forefront of all reforms, educational reform, social reform, political reform, but our landed gentries are hopeless reactionaries in all these matters (Hear, hear). If there is talk of education reform or advancement of education, these are the people who say: "where shall we get our servants if all people are educated; they will not obey us in the same manner as they are doing now or as they were doing in the past." If there is the question of political advancement or political progress, these are the people who sit at their homes and take no part in political life and on the other hand they go about and parade their loyalty here and there saying that they are not taking any part in political agitation. In season and out of season, they boast of their loyalty and claim that they should be granted lands. I cannot define what the landed gentry is, because there is no definition till now, but those members of landed gentries who appeal to Government to reward them with lands for their loyalty, I do not know what public service they have done to deserve the distribution of lands. How have they served agricultural reform, or educational reform or political reform or social reform. All along, the cry in the country had been that these people have been hopeless reactionaries and they have never favoured the growth of any kind of reforms. Therefore I sumbit, Sir, that if any member of that class wishes to get lands, they should go in the open market like other people, pay down the money and get the land. It is only then that we shall be able to know that it is a valuable thing and it is only then we shall be induced to make improvements in agriculture and shall get a good return from the lands.

We are thankful to the Government member who has just enlightened us about the principles on which these grants are made to the colonisers or those who are cultivators. I recognise that these are sound principles and it is really very good that these principles are going to be kept in view in the granting of lands in the colonies at the present time. I would like to ask one question. Is it a fact that when land was given during the past years these people who were affected by *chos* were left without being taken into any consideration? Were the claims of these people taken into consideration at all? In the Hoshiarpur district as I have always been submitting to this House large number of people lose their lands, their houses, their cattle and some-times their very lives on account of these *chos* and they are the people put to great loss on account of these *chos* and their claims should be taken into greater consideration than the claims of any other people. With regard to the Nili Bar, the Hoshiarpur district has got a special claim because it is the Sutlej river that destroys the Hoshiarpur lands and it is the water of this very river which is going to irrigate the lands in the Nili Bar

Therefore I ask that the people whose property is being destroyed by the river Sutlej should have a prior right and a prior claim over the people of any other district. I do not want to stand in the way of the poor. I want to make no invidious distinction. But so far as my information goes, the Hoshiarpur district has been allotted till now a very small and insignificant share in the distribution of lands (*A voice : No, no*). I am very glad that that has not been the case. But the people in the Hoshiarpur district have told me that their share was very small. To this class of people, I would like to add another class, that is those educated people who are prepared to live on the land and who are prepared to guarantee the Government that they will go and live on the land and try to improve agriculture. If such educated men are granted some lands, they will surely do something for the cause of agricultural reform. There are a large number of people amongst the educated classes in the Punjab who do not know how to make both ends meet. I happen to be the Lecturer in the Law College and once I asked a certain number of students whether they would like to go and live on farms and cultivate lands with their own hands or if they were unable to do that whether they would try to make themselves familiar with agricultural methods and live on the land. A large number of students gave their consent in writing. I wish I could have taken those applications of those students to the Honourable the Revenue Member and requested him to allot some lands to these students for the sake of experiment. The Government can always make a condition in the lease that if the people absent themselves or go away from the soil their lands will be taken away from them. I submit, Sir, that amongst the educated classes there is great misery prevailing. They have no source of earning any income and they are only driven begging for posts from door to door. The Government service cannot give openings to all of them. All sorts of claims are put forward for Government service and surely the door of agriculture ought to be open to those educated young men who want to handle the plough or make agriculture their profession.

In this connection, I would also like to mention the claims of retired school masters and patwaris who have taken up the profession of agriculture. In my own district, I know of several people who having retired from service have bestowed their attention on agriculture and have really improved agriculture by introducing new methods. With regard to school masters and patwaris, I sometimes find that they are not given pensions by the district boards or by the Government and if some people out of this class could be found who would take up agriculture, the cause of agriculture will really improve.

With these few words, I entirely endorse the remarks made by some of the speakers that the Government should not commit the mistake of granting these lands without getting a proper and high value for these lands at the time of auction. Had this point been observed in the past, we should have never heard of additional taxation or the cry of reduction in the *abiana* and other taxation. Certain people do desire, as they have always desired in the past, that burdens from their shoulders should be shifted on to others. Government is taking a very wise course and I hope Government will stick to it.

4 P.M.

Sardar Partap Singh (Jullundur, Sikh, Rural) (Urdu): Sir, I beg leave to draw the attention of the House to the Jullundur district where the level of the water in the irrigation wells is daily falling down. During the last

[Sardar Partap Singh.]

20 years the level has fallen twice as low as it used to be. The major part of the land of the district is *chahi* and the irrigation is conducted through wells and if the things are allowed to go on as they now are then the whole of the land will become *barani*. Then, Sir, most of the zamindars possess very little land. Many possess only a few kanals. Under the circumstances, it is hard to live on a few kanals of *barani* lands. I, therefore, take this opportunity to bring this matter to the notice of the Government so that due regard may be had of the people of the Jullundur district while distributing land in Nili Bar.

Chaudhri Nur Din [Lyallpur South (Muhammadan), Rural] (Urdu): Sir, I want to draw the attention of the House to a class of people who have not been able so far to find any champion in this House. Members have been putting the case of their people before the House, I shall draw the attention of the honourable members to a people who wander from place to place in the districts of Montgomery and Lyallpur in search of living. They have been agriculturists since ages. Their forefathers too were agriculturists and it is due to their industry that you find smiling green crops at a place which was barren and unproductive. In 1898-99 when land on the Lower Chenab Canal was distributed to the agriculturists, people did not like to go there for it was difficult to live there in those days. But it was this class of people who under very trying conditions remained there and reclaimed the land in these colonies. I mean the people of Hoshiarpur, Ludhiana, Gurdaspur and Jullundur districts where land is very little. They came and inhabited these tracts and suffered a lot from thieves and other troubles. Now they are wandering from place to place. I draw the attention of the House to their condition. They own no land. Nor can they get it on lease. When I go to the Montgomery or Lyallpur districts, I find them wandering in search of work. Sometime back, Government prepared a list of those cultivators who have been doing that work for the last eight years and it was believed that they will be granted lands. But it is a pity that they have not been able to get anything yet. Sir, these people should get the first consideration. Then, Sir, come the people who have less than 5 acres of canal irrigated land. They should also be favourably treated. I know that people in Jullundur and Hoshiarpur have still less land, but those who own so small land on canals find it very hard to pull on. They get only two or two and a half hours turn to water their lands and in this short time the water does not get out of their *khals* and they suffer. It is different with the *Chahi* land. They can at least grow vegetables and other minor crops. But the canal people cannot do that. I, therefore, draw your attention to the cultivators and to those people who have less than 5 acres of lands on canals. With these few words I resume my seat.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, I would only try to bring to the notice of the honourable members of the House one economic fact which is worth consideration. My friend representing Lyallpur has depicted a picture of those homeless tenants who are wandering in the colonies, also of those people whose holdings have been reduced to 3, 4 or 5 acres. He is quite right that in a district like Jullundur where there is well irrigation, people can live upon small holdings, but in the irrigated areas it is very difficult to live on uneconomic holdings. How useful it would therefore be to push a policy of consolidation of holdings in which my friend Mr. Calvert has taken so very great interest. To give support to that very sound economic movement Government should, out of the three lakhs of acres which they have earmarked for auctioning, take out half of the land.

I do not want them to realise anything less than what they will realise from the price of land sold by auction. Instead of selling it by auction they should lay it at the disposal of the Registrar of Co-operative Societies who would realise the same price, then with the help of these lands which will be at the disposal of the Registrar of Co-operative Socities he will consolidate the holdings. You should ask the people in the Lyallpur district to give up their lands to their neighbours and realise the price from them and then supply them land in the colonies and get from them the price of the land not at once but in a cycle of years spread over 10, 15 or 20 years with or without interest. This is a problem worth considering. There are people, there are tenants who are ready to pay you. Why should not the Government make them permanent tenants and realise the price in the course of 20 or 30 years? They will then become proprietors, in the meantime they will enjoy security of tenure. They will not be liable to eviction. Now, Sir, it is my personal experience that the tenants of the Oat Hay Farm owned by the Government of India are much better off than the tenants of the ordinary landlords and proprietors. They have got certain amount of fixity of tenure. They know that they will remain there. There are very few landlords who look after the welfare of the tenants. If the Government were simply to give them lands on lease, they will very gladly accept it even at the price of Rs. 20,000. My friend Mr. Barron has expressed that the Government never expected these high prices which the people are paying. Let him then give these lands to these tenants. You will find out what is the economic price of the land from the sale-proceeds of the land and then fix it and give to the peasants wandering in these colonies. They will be glad to accept any reasonable price or any unreasonable price spread over different years. The economic value of the land will increase, the yield will increase and you will have put up an excellent peasantry in one place. Politically, economically and socially it is worth trying. I must thank the Financial Commissioner for his taking the trouble to accommodate the *Janglis*. I wish to raise one more question. These people are poor and have no money to sink wells. I admit that they are accustomed to these things, and know how to live on these lands. But they have no money to sink wells and Government will have to give them certain amounts. They will have to set apart a decent amount of money to be given to them if they want their lands to be irrigated properly by these *Janglis*. Otherwise it will be a great economic loss to the Province. With these words and after thanking the honourable Financial Commissioner, I wish to withdraw my amendment.

The motion was by leave withdrawn.

Sayad Muhammad Husain [Montgomery (Muhammadan) Rural] : Sir I beg to move—

> "That the grant be reduced by Re. 1 with respect to the item of Rs. 51,000—Total extension of Lower Bari Doab Canal Colony staff up to 28th February 1927."

Sir, this is a very noble cause that I am going to advocate. My powers of advocacy are limited whereas the cause I have to advocate is very great. I may at the outset explain that it is not my intention in moving this reduction to cast any vote of censure on the Government. I only want to raise a discussion with a view that the Government will consider my case favourably. Secondly, I must explain that it is not any communal question that I am raising at present.

[Sayad Muhammad Husain.]

I hope the honourable the Financial Commissioner will remember that a deputation of *jangli* representatives waited on him at Montgomery. This deputation contained Hindus as well. My friend Lala Kesho Ram, the late Vice-Chairman of the district board of Montgomery also accompanied the deputation. It is on behalf of these *janglis* that I am pleading at present. The condition of these *janglis* has been very miserable in the past. They are a very unfortunate people. For them necessary lists had been prepared for the grant of land but when the time for the distribution of land came, for their bad luck and for the bad luck of the whole world war broke out. As a result of that it was thought advisable that land should be ear-marked for the men who offered their services for the war. Government did not know how much land would be required for the military grantees. So with a view to reserve land for distribution to those who fought for the Empire, all further distribution of land to these locals was withheld. The result was that the war lasted for a considerable number of years and after the conclusion of the war it was found that the land that was really ear-marked for military grantees fell too short of the actual requirements. Consequently the whole misfortune fell upon these poor locals. Most of them were wandering about landless and because there was no land they could not be accommodated. In this connection I have to thank the Government and especially Mr. E. R. Abbott who was at that time the Financial Commissioner. He came to the rescue of these unfortunate people. He ear-marked about 44,000 acres of land for these people. He admitted that these people ought to have got the land. He made certain rules by which these people had to be given land. But the number of locals was so great and the area of land ear-marked for them so little that they could not all be accommodated. So Mr. Wace, the Colonisation Officer, again recommended certain principles by which more land should be allotted for these people. Those principles were simple. He raised the area of land to be allotted to each family from 6¼ acres to 12 acres and he also instructed that all those locals who were in list A, that is, those who had premier right, should be allowed land first. These are the two main principles. But the number of people to be so granted was again very great and the land given to them in the past was so little that they could not be accommodated even after the further grant of 22,000 acres of land which were made on the recommendation of the Colonisation Officer, Mr. Wace again came to their rescue. Every body knows he has great experience at his back. Having admitted that the *janglis* had a right to the land and having admitted his two principles underlying the distribution of lands to these *janglis*, he made a further recommendation of land. I do not know exactly what the number of those acres was. He, however, included in his list of grantees those people whose holdings ought to have been increased. He included those people who were included in the list prepared by Mr. Joseph and Mr. Puckle. He drafted a letter to Government recommending the grant of land to those who were included in the list. But unfortunately for these people Mr. Wace was transferred as the Colonisation Officer of the Nili Bar. His successor did not find his way to approve of the draft prepared by his predecessor and so the letter did not reach the Government. Then a deputation waited on the Financial Commissioner and we were very much satisfied when the Financial Commissioner stated that their claims would be considered favourably. The reason why I raise this subject now is that

in answer to my question the Honourable the Revenue Member stated that the matter is still under consideration of Government.

Students of ancient history will know that there are two clans of these people who fought with Alexander at that time. It is the descendants of those people who constitute some of these *janglis*. Their very appearance, their very strength, constitution and physique, all bear testimony to their being something extraordinary or superhuman. These people can cultivate even inferior soil. They would be quite satisfied if they get inferior lands. I believe there is no other land barring the land in possession of Sir Ganga Ram which is fertile. All the other land is of inferior quality and that should be given to these people. If they are accommodated in this land they will convert the inferior land into superior one. This would be a sound and economic solution of the problem.

Again it has been said that these people are wandering about and resorting to cattle lifting. (*A voice : Put them in jail*). Yes, if you please. But Government is a mother and it has to look to all the propensities, even the criminal propensities of its subjects. Government has to look after them and reclaim them. If these people are accommodated in these lands it would be a great check to their criminal tendencies. They will then settle in life and attend to their cultivation of the soil peacefully. These are sturdy people and will be prepared to help Government in time of war, they actually offered recruits during the last war. Under these circumstances I would request the Government to give weight to the recommendations f Mr. Wace and distribute land to these locals.

A question may be asked, where to find land for these people ? If I am permitted, I will suggest to the Government and the Financial Commissioner where the land is available. The J plot which is now about to come under cultivation is of inferior quality. I would suggest that this land may be given to them. If you accommodate the military grantees in this land they will never cultivate it. I am talking from personal experience. Therefore accommodate these people in that land and accommodate the military grantees in the Nili Bar, which will come under irrigation even before the J plot comes under irrigation.

Sir, I am not alone in this House to advocate the cause of these people There are two stalwart friends, one of them in the person of Mr. Miles Irving. He knows much more about these people than myself, and he has been their friend and even now they turn their eyes towards their old benefactor. The other gentleman is in the person of the Senior Secretary to the Financial Commissioner who was also the Deputy Commissioner of Montgomery. These two people will persuade the Revenue Member in the way I do. With these words I resume my seat. I do not propose to press my motion if the Government would promise me that the claims of these people will be favourably considered.

Mr. President : Grant under discussion, motion moved :—

" That the grant be reduced by Re. 1 with respect to the item of Rs. 51,000. Total extension of Lower Bari Doab Canal colony staff up to 28th February 1927.

The question is that that motion be adopted.

Mr. C. A. Barron (Financial Commissioner) : Sir, my honourable friend never loses even a single opportunity of pressing the claims of his friends the *Janglis*.

Pandit Nanak Chand : Are they his friends ? Are the cattle lifters his friends ?

Mr. C. A. Barron : Not only friends, but constituents, I understand.

Sayad Muhammad Husain : Anything which the honourable member likes to call.

Mr. C. A. Barron : And disciples too, I fancy. So far as Government is concerned the case of these Montgomery Janglis has been and is receiving consideration to the extent the lands at our disposal will allow to give them grants (Hear, hear). There is not very much good land left in the Lower Bari Doab Canal colony for allotment. What is left has to be kept for military grantees who have been promised land. Some of them have been waiting for several years, and others whose grants have turned out to be on bad land have to be given better land in exchange. It is quite true that some years ago lists of Janglis to whom allotments should be made, were drawn up and they have constantly been under revision ever since. The reason why the list referred to by the honourable mover of the motion and the draft letter written by Mr. Wace was never sent on to Government was that his successor found that he required a great deal more land than was available, and he found himself in such a difficult position that he did not know what to do towards making further allotments.

As to more land becoming available, in the last printed colony report there is mention of an extension being in progress called the Sukhrawa scheme which will yield an extra area of six thousand acres for allotment and that allotment has been reserved for locals. I am afraid that the idea of auctioning the lands held by Sir Ganga Ram is not feasible because one of the conditions under which he holds those lands is that they will not be given up for some time to come.

Sayad Muhammad Husain : Is it after four years ?

Mr. C. A. Barron : *Yes, for four years unless* they are required for commitments already made. That is why we are putting in military grantees on our lists of commitments already made in order that they may get hold of the land earlier than they would otherwise be able to do.

Sayad Muhammad Husain : What about the Janglis ?

Mr. C. A. Barron : I am afraid that the military grantees who have been promised land are not likely to be willing to wait for the Nili Bar which is the suggestion which the honourable member puts forward for the janglis ; that is really all that I have to say, Sir. If we had more land available, we would give the janglis more. We are doing our best up to the capacity of the soil of the district.

Sayad Muhammad Husain : I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural] : Sir, I beg to move :—

"That the total grant be reduced by Rs. 100."

As this printed note shows, the object of moving this amendment is to urge the adoption of permanant settlement for Hoshiarpur and Kangra districts (Hear, hear). Honourable members might naturally ask why I have chosen these two districts, Hoshiarpur and Kangra, for the adoption of permanent settlement.

Malik Firoz Khan, Noon : Because they are the constituencies of the honourable member.

Pandit Nanak Chand : Kangra is not my constituency and for Hoshiarpur I have got certain reasons. Now, Sir, my main reason is that I know the conditions of the Hoshiarpur district and therefore I am going to move with regard to the Hoshiarpur and Kangra districts that permanent settlement should be adopted. It has now been the accepted principle of the Government that when the extreme limit of land revenue has been reached there should be no further increase (Hear, hear). My submission is that in the district of Hoshiarpur, the extreme limit of land revenue has been reached. That is my first ground, for saying that whatever may be the settlement in Hoshiarpur district, it should not be increased any further. There is absolutely no chance of Hoshiarpur having any canals because on account of these hill torrents, it is impossible for any canals to be dug up, because they would be full of sand. Thus the physical condition of Hoshiarpur is such that there can be no canals. If Government through its engineering skill is able to introduce canals in the Hoshiarpur district, then I for one shall be very glad and I shall be the first to move that the permanent settlement should be removed from the district. That is one ground. The second ground is that it is a district of small peasant proprietors. You may meet with big landed proprietors here and there, but on the whole and generally it is a district of small peasant proprietors who sometimes find it almost impossible to make their both ends meet even on their agriculture. That is my second ground for urging the adoption of permanent settlement in that district. My third reason for saying so is that this district is being constantly destroyed by the two rivers—the Sutlej and the Beas, and by the hill torrents. On these various grounds, I submit that permanent settlement should be adopted in the Hoshiarpur district.

Now, as regards Kangra, this district fares no better. My honourable friend who represents the Hindu landholders has already stated that Kangra is one of those tracts which are called *kohistani* where it is very difficult to carry on cultivation. Those people who have got any knowledge of Kangra district will know that in the Kangra district also the peasantry is extremely poor, much poorer than the people in the Hoshiarpur district. There is also no chance of any canals being opened up in Kangra district and on that ground there can be no improvement in agriculture due to any initiative on the part of Government. Now, Sir, it might be urged that there might be improvement in agriculture on account of the opening of wells in the Hoshiarpur district or some other source in the Kangra district. But I would point out to the Government this fact that the people should not be made to pay more as land revenue because they have applied some of their capital towards opening of wells. That would mean that the Government does not encourage agriculture and on the other hand tries to discourage the improvement of agriculture These people cannot have the benefit of canals and if they dig wells for temporary purposes here and there, that should be no reason for increasing the land revenue in future. I recognise that permanent settlement should be very carefully applied. There might be certain tracts where agriculture has not yet reached its extreme limit and which are open to development in places or where the Government might be thinking of opening large canals or affording certain other agricultural facilities for these tracts. In that case there need not be any permanent

[Pandit Nanak Chand.]

settlement. But whereas in the case of Hoshiarpur and Kangra districts the extreme limit of land revenue has been reached there, this permanent settlement should be applied. If canals are opened, this concession might be withdrawn. The Government might impose this condition, namely, that on the introduction of canals in the Hoshiarpur district, there should be a revision of land revenue; otherwise if there is no chance of any canal being opened up there is no reason why the Government should not declare that districts like Hoshiarpur and Kangra should have the benefit of permanent settlement.

Mr. President: Grant under discussion, motion moved :—

"That the total grant be reduced by Rs. 100."

The question is that that motion be adopted.

Mr. J. M. Dunnett (Chief Secretary) (Urdu): Sir, my learned friend, who has the honour of representing the zamindars of Hoshiarpur, has put forward a proposal for the adoption of a permanent settlement in Hoshiarpur and Kangra districts. In support of that proposal he has adduced two arguments. First, he states that these districts are calamity stricken, and secondly, that there is no hope of future progress and improvement in them. As to the first, I would like to remark that these matters would have been relevant if his proposal had been for reduction in land revenue. But instead of suggesting any reduction in land revenue the honourable member's proposal seems to convey the idea that the present assessment is just and based on equity.

Pandit Nanak Chand: No, Sir,

Mr. J. M. Dunnett (Urdu). I have said that it can have no other meaning than that the present assessment is reasonable and equitable and can therefore be enforced as a permanent measure (Hear, hear). It was proper for the honourable member to praise these settlements for they are in the settlement, in the course of which the Settlement Officers either died or suffered incurably in health. Settlement Officers of other districts are members of this House or are at work in the province, but you will not find here the Settlement Officers of Kangra and Hoshiarpur.

Now, Sir, with regard to the second point. It has been stated that in these districts no further progress is possible because of the abundance of the population and the scarcity of the land. In this connection I wish to put two questions before you. First when you are aware that the Honourable the Minister for Agriculture has been giving his closest consideration to the means of progress and improvement, *e.g.*, mode of cultivation, selection of seed, kinds of crop and other germane matters, how can you say that there is no possibility of further progress in these districts. (Hear, hear). The members of this House who yearly vote large sums for the activities of the Agricultural Department will agree with me that there is no district in the province in which a world of difference cannot be effected. Secondly, I should like to ask my honourable friend whether he can prophesy what the value of the rupee will be after one year or ten years or twenty years. This is a very difficult and complicated question and even the financial experts feel unable to solve it. A Commission has recently been appointed for this purpose and I think this Committee will also have to face many difficulties before it can arrive at a decision.

Now, Sir, if this proposal is accepted, what will be the consequences and how it will affect landowners and tenants. To judge its effect, let us look at the province of Bengal and see what has been the result of a similar proposal there. Briefly the result was that after one generation the landlords in Bengal were utterly ruined and as landowners were allowed to enhance their rents without check the tenants were reduced to poverty. Wherever this proposal has been introduced it has been found that landowners enhanced the rates of rent because they were granted a free field for doing so. Sir, all the politicians who have ever favoured this proposal were of opinion that before launching such a scheme it is imperative to make more and better provision for the protection of tenants. (*At this stage a police officer entered the chamber*).

Malik Firoz Khan, Noon : On a point of order, Sir, are strangers allowed on the floor of this House ?

Mr. President : Order. Order. (The police officer then went away).

Mr. Dunnett (continued in Urdu) : Unless these tenants are protected there will be no advantage in a permanent settlement. Moreover, the relations between the tenants and landowners have always been in Hoshiarpur more delicate and complicated than in any other district of the province. If the honourable member wishes to complicate these relations further, he may press his proposal. But I would like to emphasise that this proposal is harmful for every one concerned. For these reasons, Sir, I request that it may not be accepted.

The Honourable Sardar Jogendra Singh (Minister for Agriculture) : Sir, there are certain aspects of the land revenue question which I should like to clear up. The honourable member for Hoshiarpur has pleaded for permanent settlement in the districts in which he is interested. I wonder if he realises that taxation concept is gradually changing. The modern idea of taxation is that below a certain level taxation is a bad business, which means that incomes below the margin should be exempt from taxation.

The other idea which will appeal to him still more is, that those who earn more should pay more. Taxation should be progressive and not regressive, as in the days of yore. There should be equality of burden and the incidence of taxation should be equally and evenly distributed. All these ideas are still in the air, and are being considered. Is it wise on the part of the honourable member to plead for permanent settlement in his district ? Is he wise in proposing to stabilise taxation at its present level ? I hope the honourable member for Hoshiarpur realising future possibilities will not press this motion. It is impossible to say at the present moment whether land revenue will be accepted as land tax or it will be regarded as something standing by itself which is neither a tax nor rent, but if for a moment we regard land revenue as a tax, then it follows that in the near future it will be considered according to the canons of taxation and these canons are very definite and just. I have no doubt the honourable member for Hoshiarpur will agree to wait for the new taxation ideas to come their own.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural] : (Urdu) : Sir, as Mr. Dunnett has delivered his speech in Urdu I shall also speak in Urdu. Sir, the honourable the Chief Secretary has asked two questions from me. His first question is whether sufficient improvement has been made in agriculture and whether no further progress is possible. And in this connection he has referred to the good quality of seeds, etc. Sir,

[Pandit Nanak Chand.]

I beg to submit that these are ordinary things and it does not give any substantial help whether the seeds, which are used by zamindars are good or bad. The second question which Mr. Dunnett has referred to is that whether the value of money will rise or not after a decade or two? In this respect I venture to say that if the value of money becomes even double it is not likely to ameliorate the present conditions of the zamindars of these districts of Hoshiarpur and Kangra. A zamindar whose annual income is about Rs. 100 cannot become better off if he gets his income raised to, say, 200 rupees. For even Rs. 200 a year are insufficient for the maintenance of the family. So, Sir, in my opinion the question of the value of money can do no good in the case of Hoshiarpur and Kangra districts. A reference was made to the Bengal province. I have also studied a good deal of literature, including Mill's History, about the conditions and circumstances which led to permanent settlement. Sir, the policy of permanent settlement was adopted in Bengal just when the British Government was in its infancy. The province had not been developed. This province is quite different from Bengal in many respects. Bengal is a province of big landowners and landlords while here there are peasant proprietors. Here we want to help the small peasant. There only the landowners reaped the benefit. Here we have to save those zamindars who have very small holdings. We should not put pressure on them. We should have a regard for their illiteracy and ignorance. They are poor and we should save them from the clutches of big landowners. If in the presence of Land Alienation Act Sahukars are not eligible to purchase land the big landowners or other richmen generally come forward and purchase their holdings. I am quite in favour of passing a law for the protection of these zamindars. I think if Sahukars are debarred from buying land something must be done to save these poor zamindars from big landlords. If anybody brings up any Bill for this purpose I, for one, will lend my hearty support to it. Sir, there is a world of difference between the zamindars of this province and those of other provinces. Here the zamindars are well-built, and robust and sturdy and are best fitted to serve in the Army. Why? Because we have got peasants who are the owners of the soil, who cannot be turned out at the sweet will of a landlord. It is for this reason that we should safeguard their rights It is our duty to protect the peasantry of the Punjab. I think the question of adoption of permanent settlement deserves a closer consideration. No canal will be opened in these districts and if there is a possibility of canals being opened I am prepared to leave this question of permanent settlement. However, I admit the force of one argument advanced by the Honourable the Chief Secretary. He says that under permanent settlement the incidence of land revenue will remain fixed and in case some land becomes valueless as it becomes very often, on account of chos and rivers the owner will have to sustain a permanent loss because under the permanent settlement the land revenue will be fixed permanently. In view of this fact and in view of what has been said by the Honourable Minister for Agriculture I beg leave to withdraw my amendment.

5 P.M.

The motion was by leave withdrawn.

Mr. President: The question is—

"That a sum not exceeding Rs. 42,86,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Land Revenue."

The motion was carried.

EXCISE GRANT.

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

> "That a sum not exceeding Rs. 15,85,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Excise."

Mr. President : The question is—

> "That a sum not exceeding Rs. 15,85,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Excise."

Sardar Tara Singh [Ferozepore (Sikh), Rural] : Sir, I beg to move —

> "That the total grant be reduced by Rs. 10."

In moving this reduction it is not my intention to discuss in general the excise policy of the Punjab Government. What I do mean is to draw the attention of the Ministry of Agriculture to a certain process and specific item of the excise policy. Only the other day in this House the member for Gurdaspur moved a resolution for the total prohibition of liquor. All members whether official or non-official felt sympathy with the aim and object of that resolution. But the House could not carry out that resolution because it was impracticable and immature. At that time, Sir, the Honourable Minister for Agriculture had given this assurance that he will consider the whole case thoroughly at leisure and will welcome any suggestion that the members might make to him. Here, Sir, my object is to make this suggestion that the policy of Government so far as licensing new shops is concerned should be stopped, that is, the number of shops existing at the end of 1925 should not be increased. This will show the *bona fide* intention of Government and will prove to the public that the Government is really serious about the prohibition or at least minimising the consumption of liquor. I will take here, Sir the example of the Ferozepore district with which I am much conversant. The Honourable Minister for Agriculture only two or three days back gave certain figures in connection with a certain question on the subject. If we turn to the answer to question No. 2678* we will find that in 1923-24 the number of cases of illicit distillation detected in the Ferozepore district was 39, the number of cases in 1924-25 stood at 20 and in 1925-26 this figure again rose to 48. I mean to say that if you take the average for the three years it will come to about 35 cases per year. The figures will at once show to a casual reader that the number of illicit distillation detected in these three years was almost normal. The number of Excise Sub-Inspectors in 1923 was only 7 and this number was doubled in 1925. Inspite of the doubling of the staff the number of illicit distillation detected by the department was almost the same. My intention in referring to these figures is to show that the illicit distillation in this district as shown by the Government figures is not so rife as it is alleged to be. On the other hand, we find that the number of shops

*Pages 381—83 *ante*.

[Sardar Tara Singh.]

in this district has been increased by 52 per cent. Last year the number of shops was 42, this year the number of shops is 64, that is 22 new shops have been licensed giving an increase of 52 per cent. When the figures given by the Government show that the illicit distillation is not rife, I ask, Sir, what was the reason for increasing the number of shops by 52 per cent?

Secondly, I will show from the figures supplied by Government that the places that have been selected for this purpose, that is for opening new shops are the places where the Government itself says no case of illicit distillation has been detected for the last five years. In one case the Government says the reason for increasing the new shops has been that illicit distillation in villages is rife, but the statement supplied by Government shows that illicit distillation is not rife there. In answer to question 2683* the Government replied with reference to part (*d*) that new shops have been opened because there illicit distillation was rife and with reference to the earlier part of the question it replied that no cases of illicitly distilled liquor have been detected in the two villages of Samalsar and Roda. I wonder at the inconsistency of the reply. If you refer to the statement in reply to question 2678† you will find that in none of these villages any case of illicit distillation has been detected except in one village Janewala, during the last three years. I fail to understand, when they say that no cases of illicit distillation was found in the last three years what reason they had to believe that illicit distillation was rife in that village. The whole answer is inconsistent and I see that the Government is negativing its own reply.

Perhaps it may be explained that there was a demand on the part of the villagers for the opening of new shops. But so far as Kalian village is concerned, I have been informed by the people of that village that 300 persons sent in a written memorial to the Deputy Commissioner and this was supported by the unanimous resolution of the Panchayat of that village established under the Village Panchayat Act. Not only that. The district board member of that constituency also reported to the Deputy Commissioner that this shop was not required in that village. Thus there are three protests lodged by the most competent people against the opening of the shop. In the face of these I fail to understand why the Government has opened a new shop in that locality. I take this case as an instance. My remark will also equally apply to Samalsar and Raoke. It might be said by the Honourable Minister that if it is not in the village at least in the vicinity of that village illicit distillation is rife. If I take the Samalsar village for my instance I can challenge that within the area of 7 or 8 miles from that village no case of illicit distillation has according to the statement given by the Government been detected. I mean to say that not only in the village, but in the vicinity of that village no complaint of illicit distillation has been proved by Government. Therefore I ask, what is the reason for locating new shops when they are expressing their sympathy with the proposal for controlling and restricting the increased consumption of liquor.

I find that they are following the policy of increasing the number of shops by 52 per cent. My request to the Honourable the Minister for Agriculture is that he may be pleased to consider the whole case and if as I have said he finds from the records that my case is true, then he will at least cancel those licenses in those villages where protests have been lodged and where no cases of illicit distillation have been found and I trust that the

* Page 385 *ante*.
† Pages 381—383 *ante*.

Minister will stop this policy of increasing the number of shops in future. This is the case about Ferozepore, similar will be the case with regard to other districts also. These are illiterate and backward districts and therefore it is very dangerous to allow these shops in the midst of such people. If these shops are opened at their very doors, it is an encouragement for consumption of liquor which eats into the very vitals of the community. It is for this reason that the Government should be very cautious in issuing licenses for opening shops. There is a special demand for the abolition of these shops. In future resolution should be passed by the district board of that *ilaqa* that so many shops and at such and such places should be opened and nowhere else. As regards the opening of 22 new shops, if the Honourable Minister can satisfy the House that there is a demand for those shops or that there is extensive illicit distillation going on, then I have no objection to the opening of shops. If I convince him as I have that it is not the case, then he will agree with me that the shops which are opened in 1926 should not be opened again in 1927. This is the request I wish to make to the Honourable Minister for Agriculture on the floor of this House.

Mr. President : Grant under discussion, motion moved :—

"That the total grant be reduced by Rs. 10."

The question is that that motion be adopted.

The Honourable Sardar Jogendra Singh (Minister for Agriculture) : Sir, I have heard with pleasure the remarks that have been made by the honourable member for Ferozepore. I can assure him as I did before, that the Government is very anxious to control this bad habit of drink. It is an appetite which, some people cannot help satisfying. If it will satisfy the honourable member for Ferozepore, I can tell him that there is no likelihood of any new shops being opened during the current year (Hear, hear) over and above those that have been already opened.

Sardar Tara Singh : Over and above what has been done for this year.

The Honourable Sardar Jogendra Singh : Yes, over and above those that have been already opened. This matter, not long ago, was discussed fully in this Council and we found that prohibition from outside can never be fully effective. It must begin from within (Hear, hear) and here again I should like to throw a couple of suggestions for the honourable members of this House to consider and to try to educate their electorate in carrying these out.

Sardar Tara Singh : They are already protesting against the opening of new shops.

The Honourable Sardar Jogendra Singh : I have said all that is to be said as to the opening of the shops. I am just talking of a policy of co-operation between the Government and the people in controlling drink. I want to make a few suggestions to the honourable members of the House and through them to their electorate so that they may work for introducing prohibition from within and not from without. This can be done in two or three ways if the members will take the same interest in forcing prohibition from inside which they are taking in this House their efforts may become more effective. One is to educate the village people to regard drink as a bad habit and not to resort to it. The other is to let the villagers form into societies and let these

[Hon'ble Sardar Jogendra Singh.]

societies undertake that where these societies are established there shall be no illicit manufacture of liquor; if this is done it will be time then for the Government to consider the stopping of opening of new shops. The beginning should be made in the villages, and these societies should be established in the villages. These societies should be in a position to undertake that they will be responsible for any illicit manufacture; if that happens prohibition will begin from within. I can assure you that the Government will welcome such a movement. The other suggestion that I wish to make is that in the case of habitual drunkards, society should exercise a certain amount of influence. I should like to have an asylum established where habitual drunkard should be interned like civil debtors, and kept there till they are cured. That again is a question which the people in the villages can take up, and if it is brought to the Council later on, I have no doubt that the Government will consider this problem sympathetically. Regarding the opening of new shops, I have already said that the Government have no intention of opening any more new shops this year, and shops are opened only in places where it is fully established that illicit manufacture of liquor has been going on for a long time. If the honourable mover of this amendment would be satisfied, I can assure him that I will go into the matter again and keep a watchful eye on the matter. I hope that with this assurance the honourable mover will be satisfied and will not press his motion.

Sardar Tara Singh: I have no intention of pressing this motion for final division. What I wanted to know was whether in the case of those shops for the current year where the people have demanded that there is no necessity for opening, will the Government consider their demand sympathetically.

The Honourable Sardar Jogendra Singh: I will certainly go into the matter carefully.

Sardar Tara Singh: I beg leave to withdraw my amendment.

The motion was by leave withdrawn.

Mr. President: The question is:

"That a sum not exceeding Rs. 15,85,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Excise."

The motion was carried.

STAMPS GRANT.

The Honourable Sir John Maynard (Finance Member): Sir, I beg to move:

"That a sum not exceeding Rs. 1,42,400 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Stamps."

In order to save the time of the Council, I think I should mention that the question of stamp duty and court-fees will come under the consideration of Government in accordance with the undertaking which has already been given to the Council, and the decisions reached upon it will be announced to the Council when it meets in June next (Hear, hear).

Mr. President : The question is :

> "That a sum not exceeding Rs. 1,42,400 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Stamps."

Sardar Jodh Singh [(Sikh) Urban] : Sir, in view of the assurance given by the Honourable the Finance Member I have not much to say, but in order to plead the cause of reduction of stamp duty in the case of transfer of properties in urban areas, I beg to move :—

> "That the total grant be reduced by Re. 1".

Sir, when this increase in stamp was put into effect in the case of urban areas, the property to be transferred was already, valued at the market rate and hence they paid much more than those people who transferred the property in the rural areas where the land revenue paid for a certain number of years was the basis of valuation. In the second place when this Bill was introduced to increase the taxes it was estimated that this increase will bring in about 7 lakhs of rupees. But now we find in actual practice that non-judicial stamp duty has not brought in more than one lakh of rupees. From these figures also it appears that the increase has told heavily upon the people. If the House remembers that during the life of this reformed council—I mean for the past six years—the stamp duty which was at one per cent was increased to one and-a-half and again increased to three per cent. in the case of urban areas, I think they will agree with me that the incidence of taxation under this particular item is very heavy indeed. Therefore, I hope that when the Government considers reduction in stamp duty, they will give special consideration to this particular item. With these few words I move my amendment.

Mr. President : Grant under discussion, motion moved—

> "That the total grant be reduced by Re. 1".

The question is that that motion be adopted.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural] : Sir, after hearing the Honourable the Finance Member one would have thought that there was no use of carrying on this debate, but I want to submit one or two points for the consideration of the House. Therefore I take advantage of supporting Sardar Jodh Singh, and I also bring to the notice of the House that the Honourable the Finance Member has been giving assurance for the past three years that something will be done in the cause of reduction of taxation. On the 24th November, 1924, the honourable the Finance Member while speaking on resolution *re* new schedule of occupiers' rates for the chief canals in the Punjab said :

> "We are quite ready again to press the Government of India to reduce the provincial contribution and we are quite ready to reconsider the whole financial position both as regards urban and as regards rural taxation when the Government of India can be brought to reduce the provincial contribution".

After the speech of the Honourable the Finance Member provincial contribution was reduced, but nothing was done to reduce taxation as regards stamp and court-fees.

[R. B. Lala Sewak Ram.]

In the following year again, Sir, the Honourable Finance Member gave an assurance to the House in these terms :

> "As announced in my speech before this Council on November 24th, 1924, Government will now reconsider the whole financial position, the rural and urban taxation, including the water-rates : and this Council will have the opportunity of passing judgment upon the result of that reconsideration. It is desirable that that opportunity should be given at as early a date as possible, and when this Council adjourns to-morrow or the next day it is proposed to ask you, Sir, to announce that it will meet again on some day, to be fixed hereafter, in May."

After this declaration of 1925 nothing has been done to reduce the heavy taxation. Now, 1926 has come and the Honourable the Finance Member has again made an announcement in his speech :

> "I have to announce to the House that it is the intention of Government in a meeting which will be held in June next to reconsider again the whole subject of taxation."

This is one of the three assurances given year by year by the Finance Member and nothing has been done to reduce the heavy taxation from which the Province is suffering. I do not say that nothing will now be done, but it is quite possible that the matter may hang on, and when both the members of this Council and the Finance Member will be out, fresh assurances will be given again and not carried out. So for these reasons I beg to submit most respectfully to the Finance Member that if something is done in June to reduce the taxation, we shall be very grateful to him.

Another point that arises is this. I may submit to him that if he is going to appoint a committee to deal with this matter of taxation, he should appoint one that is fully aware of taxation on rural and urban classes and not the kind of committee which may not be able to go into the question thoroughly as sometimes happens. I also suggest that in the case of urban taxation about which my friend Sardar Jodh Singh has just mentioned, three per cent. on sales and conveyance as stamp duty in urban areas and the cantonments is far too much, I hope it will be brought down to Re. 1-8-0. I do not ask that it should go down to Re. 1 which was the original rate. In the Stamp Amendment Act of 1922 it was brought up to Re. 1-8-0. As regards court-fees also, there should be a considerable decrease, because people who have to file suits cannot undergo the expenditure, so much so that they refrain from filing them. Therefore, I would bring it to the notice of the Finance Member that sufficient reduction should be made both in court-fees and stamp duty when the matter is taken up in June next.

Sardar Randhir Singh [Sialkot-*cum*-Gurdaspur (Sikh), Rural], (Urdu) : Sir, with your permission I beg to say a few words about the amendment of my honourable friend who represents the Sikh Urban Constituency of the province. Through you, Sir, I just venture to ask the Honourable the Finance Member whether in considering the reduction of Stamp Duty there is any likelihood of the question of *abiana* being effected. If so, I shall urge my friends present here to oppose the amendment under consideration.

Rai Bahadur Lala Sewak Ram : Sir, the question of *abiana* is not before the House. There is an amendment on that later on and when we come to that we will discuss it. The present question is the question of Stamp Duty.

Sardar Randhir Singh (continued in Urdu) : Sir, all that I want is that if Honourable the Finance Member is going to give an assurance with respect to the reduction in Stamp Duty he should not lose sight of the question of *abiana*. He should, in all fairness, relieve us of this onerous burden of heavy taxation and before relinquishing the charge of his portfolio he should help us in getting rid of this tax. Sir, if Government does not propose to reduce *abiana* under the plea that they have made reduction in Stamp Duty then I would like to remark that we will oppose this amendment, otherwise we are ready to support it. Will the Government kindly let us know about their opinion in this matter and after that we will decide what attitude we should adopt.

Malik Firoz Khan Noon [Shahpur East (Muhammadan), Rural] : Sir, I heartily associate myself with the last speaker in his views on this cut. I should not have liked to speak on this point, but since my honourable friend is not satisfied with the assurance given and still presses his motion, I feel it my duty to say something on the amendment. Recently we have been insisting that there has been an increase in taxation in this province in various ways. That increase has fallen either on rural or urban classes. The only form in which taxation on urban classes has been increased is stamp duty, because stamp duty affects persons of property living in towns and cities. Court-fee also affects urban areas, but not to the extent it affects rural areas, because rural people borrow from the money-lender, and eventually they have to pay court-fees themselves. If this amendment is accepted, it will mean that urban people will go scot-free and will not be bearing their share of the burden of taxes. The burden that has been imposed on rural classes still remains there. *Abiana* is known to everybody, the court-fee eventually falls on the zamindar who is the borrower and who has to pay the decretal amount. I submit that if any remission is to be made it should be evenly distributed on rural and urban people. stamp duty should not be done away with unless there is a reduction in the *abiana*.

Sardar Tara Singh [Ferozepore (Sikh), Rural] : Sir, there is a proverb and a very good principle too to follow. It is "the greatest good of the greatest number." While we are considering the motion that has been put forward by Sardar Jodh Singh we should see whether it does the greatest good to the greatest number or not. The greatest number is of the zamindars. If we reduce the *abiana* we will be doing the greatest good to the greatest number. But if instead of that we reduce the stamp duty, we would be doing good to the smallest number. My second point is that already enunciated by the Honourable the Minister for Agriculture. He said that those who earn more should pay more. Therefore the people in towns who are richer should pay more. They transact business in lakhs, they take property and give property. Therefore I most strongly enter my emphatic protest if a reduction is made in stamp duty without a reduction in *abiana*.

One word more as regards court-fees. I certainly agree that reduction in court-fees should be made for the reason that the burden falls jointly upon rural and urban people. In that respect I do agree that a reduction should be made in court-fees. With these remarks I resume my seat.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban]: Sir, I am sorry that honourable members on the other side have mixed two questions together. All that we are discussing at the present time is the reduction of stamp duty. *Abiana* is in season and out of season brought before this Council. Is it fair for the honourable rural members to bring that question at all times whenever they find an opportunity to do so? I say that they should not mix the two things together.

With regard to *abiana*, I have already expressed myself when I spoke last time. Is it not a fact that no member made a reply to what I said? What I submit is this that the original intention of Government was to enhance the *abiana* to the extent of 79 lakhs of rupees in the first instance. It was not enhanced to that extent but by 25 lakhs short. Then Government of its own accord considered the question again and reduced it by 17½ lakhs. Thus the total enhancement that was intended to be 79 lakhs was only 36½ lakhs. If Government wishes to do away with the *abiana*, no one will object to it. By all means let Government do that. But do not mix this question up. Do not bring in the rural and urban question. If we find that Government is inclined sympathetically to reduce *abiana*, let us all unite in our demand and request Government to make the reduction. If Government is inclined to make a reduction in any taxation, urban or rural, let us all thankfully accept it. With regard to stamp duty, I submitted the other day that this is also a charge that is paid by the poor, whether that person lives in the city or town. The person who sells his land always stands in need of money and the purchaser who is the capitalist forces the man to part with land. The man who pays stamp duty gets less as price for his property. So it is not fair for any of us to object to stamp duty being reduced. I would request my rural friends not to raise these questions. Let us all, urban and rural members, unitedly ask Government to reduce taxation and be thankful for what it does. With these remarks I resume my seat.

Mr. President: I find that the debate on a question relating to the reduction of stamp duty has drifted practically into a debate on the reduction of *abiana*. So long as references were made to the question of *abiana* only incidentally and indirectly there could be no objection. But I cannot allow *abiana* to be discussed in place of the "Stamp duty". It is one of the well-known rules of debate that it should not anticipate a matter which is appointed for the consideration of the House or of which notice has been given. If the honourable members will refer to Demand No. 6, they will find that two motions have been tabled under that Demand—one by Sayad Muhammad Husain and the other by Sardar Tara Singh—both of which relate to the reduction of *abiana*. Therefore, the reduction of *abiana* should not be directly discussed to-day.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural], (Urdu): Sir, I am very much thankful to you for your ruling that at this stage the merits and demerits of *abiana* should not be discussed, and that only incidental remarks are allowed. With your permission, Sir, I just wish to enquire from my zamindar friends that if the Government makes a decision that the present rates of *abiana* are reasonable and that a reduction of stamp duty is expedient and advisable then what attitude they will adopt? I

think they will oppose the reduction in the stamp duty. Sir, the well-known old story of a hunchback woman applies full well in their case. Once a person asked a hunchback woman whether she wanted her back set right or whether she wanted others to become like her. She replied that that cannot be done conveniently but she would be glad if all other women become like her. Similarly my zamindar friends are saying that if *abiana* is not to be reduced there is no use of reducing stamp duty. I shall ask my friends to consider this matter with a more dispassionate mind. The stamp duty is not a privilege but it is a kind of charge which Government levies for paying remuneration to those officials to whom the work of registration, etc., is entrusted. It is spent for purpose of saving people from unnecessary litigation. And if Government thinks that it can carry on this business with a reduced amount I think there is hardly any justification for the plea that it should not be reduced.

Now, Sir, with respect to the court-fees I can safely say that nearly all the rural and urban members are unanimous in their demand for reduction in court-fees. I am really glad to find that my friends agree with us at least on this point. Moreover, it is a matter for consideration of the Government to see on whom this burden falls. Sir, it is the poor class of people who are obliged to sell off their property and incur the expenses of stamp. If you care to save the people then a reduction in the stamp duty should be made. With these few words I lend my hearty support to the amendment under consideration.

Diwan Bahadur Raja Narendra Nath [Punjab Land-holders (General)]: It seems to me, Sir, that some of our friends have entirely misunderstood the lines on which discussion has been proceeding. The reduction is under the head 'Stamps' and stamps are of two kinds—judicial and non-judicial. All that the mover of the reduction has asked for is a reconsideration of and a reduction in stamp duty. That covers both judicial and non-judicial. My honourable friend, the member for Shahpur insists that the fees of non-judicial stamp should stand. He forgets that the rural members who own lands may live in towns. He himself is one of them who lives in this city of Lahore and has purchased property in Lahore though he calls himself a rural member. How then is a differentiation made between the rural and urban interests of this very narrow nature is very surprising to me.

My honourable friend the member for Multan (Rai Bahadur Lala Sewak Ram) has suggested that a committee should be appointed to consider this naughty question. The discussion that has taken place in this House for this small matter shows how undesirable it is to appoint a committee. Probably the member for Multan meant that if a committee were to be appointed it should be fully representative, it should not only consist of rural members but also urban members as well. I do not know under what class the honourable member comes, because he is a land-owner and represents a rural area while he has got urban interests also. That differentiation will cause considerable difficulty. I would therefore make a modification in the suggestion, and it is this, that the Honourable the Finance Member must take into consideration both sides and decide it for himself without consulting anybody.

Sardar Buta Singh [Multan Division and Sheikhupura (Sikh) Rural] (Urdu): Sir, some of my honourable friends have remarked that the question of *abiana* has been mixed with the present discussion unnecessarily. I wish to say a word about it.

Mr. President: The ruling of the Chair is to be obeyed and not be made a subject of discussion.

Sardar Buta Singh: Very well, Sir (then continued in Urdu). I was saying that my honourable friend Sardar Randhir Singh has done well in inviting the attention of the Honourable the Finance Member to the fact that if an assurance is to be given to the House with respect to the reduction in stamp duty the question of *abiana* should not be lost sight of. Sir, nearly all the members of this House are unanimous with regard to this important question, and I think it deserves a favourable consideration on the part of the Government. With these few words I whole-heartedly associate myself with what has fallen from the lips of my friend Sardar Randhir Singh.

Mr. E. Maya Das (non-official nominated): Sir, about this matter I wish to say that the burden should be considered as well as the shoulders of the man bearing the burden. If the shoulders are being bruised, then he needs relief. If the burden is borne easily then no relief is needed.

The Honourable Sir John Maynard (Finance Member): On this point, Sir, I wish to make just one observation. What a pity it is that Sardar Jodh Singh did not accept the assurance which I first of all gave! The only result which has followed is, as far as I can see, to reveal the conflict of interest between the different sections of this House. (Hear, hear.) It seems very unfortunate.

Just one word more about something which my honourable friend the member for Multan said. He said, the Honourable the Finance Member made a promise this year and did nothing, he made another promise next year and did nothing, he made a promise in the third year and did nothing. Some people might possibly be offended by being told that they made a promise and then did nothing. But knowing that the heat of Multan does to some extent affect the thinking faculty and very often impairs the memory, I am not offended by anything that my honourable friend opposite said.

Sardar Jodh Singh (Sikh Urban): Sir, before moving the reduction I did say that in view of the assurance given by the Honourable the Finance Member my only object was to press the claims of a particular tax. If the honourable members who had opposed me had looked into the amendments they would have found a motion in my name under Irrigation for the reduction of *abiana*. Therefore, any particular pleading in favour of reduction of this tax does not mean that *abiana* should not be reduced (Hear, hear). But, Sir, very curious arguments have been advanced in opposing my motion, and I do want to examine them a bit. One gentleman spoke of the greatest good of the greatest number. He evidently forgot that *abiana* is not paid by the greatest number of zamindars in the Punjab. The largest number of zamindars have not got canals in their ilaqa, and it is only a small number of districts that are served by the canals. If I take this argument to its logical conclusion, this Council consists of only

14 so-called urban members and 57 members representing the so-called rural interests. If the question is to be decided by votes surely the urban members can achieve nothing.

Then, Sir, the honourable member for Hoshiarpur non-Muhammadan constituency brought one fact to the notice of the Council and that was that *abiana* was levied for some definite commodity that was supplied by the Government while the other taxes are for services rendered by Government. From that point of view also the question was worth consideration.

There is one other fact which I wish to point out. I said in the very beginning that this stamp duty did not bring in the expected revenue. That shows that it falls very heavily upon whom it has been levied. Whilst answering these points I do not want to press my motion, but simply want to bring the case of this taxation to the notice of the honourable members of this Council. If the House gives me leave to withdraw the motion I will gladly do so.

The motion was by leave withdrawn.

Mr. President: The motion is—

"That a sum not exceeding Rs. 1,42,400 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Stamps."

The motion was carried.

The Council than adjourned till 2 P.M. on Wednesday, the 10th March, 1926.

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PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Wednesday, the 10th March 1926.

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

OATH OF OFFICE.

The following member was sworn in :

Mr. A. R. Astbury (Official nominated).

QUESTIONS AND ANSWERS.

RESERVATION OF POSTS IN THE CIVIL MEDICAL DEPARTMENT FOR EUROPEAN MEMBERS OF THE INDIAN MEDICAL SERVICE.

2762. **Rai Sahib Lala Ganga Ram** : (i) (a) Is it a fact that the Punjab Government has received a circular letter from the Government of India calling for its views on the subject of reservation of 292 appointments in the Civil Medical Service for European members of the Indian Medical Service ?

(b) If so, will the Government please lay a copy of the said circular letter on the table ?

(c) Will the Government please state what it intends to do in the matter ?

(d) Will the Government please state if it will give an opportunity for this Council to express its view on the subject ?

(ii) (a) Is the Government aware that the medical officers in service prior to 1924 were given an undertaking by the Secretary of State for India that 243 posts in the Civil Medical Department will be open to all (Europeans and Indians) ?

(b) Will the Government in replying to the above circular keep this fact in view ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (i) (a) and (b). This Government is unable to give any information or lay on the table copies of letters relating to a matter which is still a subject of correspondence with the Government of India.

(c) The views of this Government have been communicated to the Government of India.

(d) Does not arise in view of answer to part (c).

(ii) (a) Government have no information of any such undertaking.

(b) Does not arise.

PROVINCIALISATION OF SCHOOLS IN THE JULLUNDUR DIVISION.

2763. Mian Abdul Aziz: (a) Will the Government please state how many schools have been provincialised in the Jullundur Division since the appointment of Sardar Bahadur Sardar Bishan Singh as Inspector of Schools of the said division?

(b) Will the Government please state according to community the names of headmasters who are in charge of such schools?

The Honourable Rai Sahib Chaudhri Chhotu Ram: Attention of the honourable member is invited to the answer to Council Question No. 2689*.

DISTRICT AND MUNICIPAL BOARD HIGH SCHOOLS IN THE JULLUNDUR DIVISION.

2764. Mian Abdul Aziz: (a) Will the Government please state how many district and municipal board high schools have been recognised in the Jullundur Division since the appointment of the present Inspector of Schools?

(b) Is it a fact that except in the District Board High School, Nakodar all the headmasters put in charge of such schools are non-Muslims?

The Honourable Rai Sahib Chaudhri Chhotu Ram: Attention of the honourable member is invited to the answer to Council Question No. 2690† put by Chaudhri Afzal Haq.

COMMUNAL REPRESENTATION IN THE STAFF OF THE GOVERNMENT HIGH SCHOOL, FAZILKA.

2765. Mian Abdul Aziz: (a) Is it a fact that since 1918 when the present Government High School, Fazilka, was provincialised the headmastership of the said school has been held by one gentleman who is a Hindu?

(b) Is it a fact that excepting the second master (whose appointment in this school came into effect from July 1925) the headmaster, the third master, the fourth master, the Science master and so on are all non-Muslims?

(c) Is it a fact that even the Persian teacher who was a Muslim has lately been replaced by one who is a Hindu?

(d) Is it a fact that the Muslim population of the Fazilka tahsil as compared with that of other communities stands as follows:

Muslims, 1,23,694; Hindus, 1,27,487; Sikhs, 39,019.

(e) Is it a fact that the strength of the Muslim students on the roll of the Fazilka Government High School is now hardly more than one-sixth of the entire strength?

(f) Is the Government aware that a number of petitions have been made by the zamindars of the tahsil to the Director of Public Instruction complaining against the conduct of the present Inspector of Schools in not giving adequate representation to Muslim element on the staff of the said school?

(g) Will the Government please state why it has delayed taking proper action and not remedied the evils mentioned in those petitions? Does the Government propose to replace the present headmaster and at least two senior teachers by Muslim staff?

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* Page 387 *ante*.
† Page 388 *ante*.

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*a*) The school was provincialised with effect from 1st April 1921, since then the head-master has been a Hindu.

(*b*) No.

(*c*) Yes.

(*d*) Yes.

(*e*) Yes.

(*f*) No.

(*g*) (*i*) Does not arise.

(*ii*) Government will consider whether any changes are desirable and possible.

HOMŒOPATHY.

2766. Mian Abdul Aziz : (*a*) Is the Government aware—

(*i*) of the existence of the Upper India Homœopathic Association at Lahore ; and

(*ii*) that Homœopathic treatment is becoming more popular amongst the public ?

(*b*) Is the Government also aware of the resolution recently passed by the said Association, strongly condemning the practice of indiscriminately issuing homœopathic diplomas to unqualified persons by unauthorised persons or societies ?

(*c*) Has the Government taken steps to stop the practice of issuing such diplomas, and, if not, does it propose to do so and to keep a control over the matter ?

(*d*) Will the Government be pleased to consider the advisability of—

(*i*) recognising the said Upper India Homœopathic Association ;

(*ii*) encouraging homœopathic system just as it has done in the case of the Vedic and the Unani systems ;

(*iii*) taking steps to create a chair for this medical science in the Punjab University ; and

(*iv*) establishing a Homœopathic Medical Board as a branch under the control of the Inspector-General of Hospitals ?

The Honourable Rai Sahib Chaudhri Chhotu Ram ;

(*a*) (*i*) Yes.

(*ii*) Government have no information.

(*b*) Yes. But the words "by unauthorised persons or societies" do not appear in the copy of the resolution seen by Government.

(*c*) Government is not aware to which unauthorised persons or societies part (*b*) of the question refers.

(*d*) (*i*) The Association has not asked for recognition.

(*ii*), (*iii*), (*iv*) Government do not consider any useful purpose would be served by adopting the proposals.

ROAD BETWEEN DELHI AND KARACHI.

2767. Mian Abdul Aziz: (*a*) Is it a fact that there already exists a *kacha* road since pre-British times between Delhi and Karachi *viâ* Sirsa running through some big villages called Site Ganu, Sukhchainpura, Abohar and Fazilka?

(*b*) Is it also a fact that the Government has been pleased to sanction a Grand Trunk Road between Delhi and Karachi *viâ* Abohar and Fazilka?

(*c*) If the answer to (*a*) and (*b*) be in the affirmative, will the Government please state whether the proposal involves the metalling of the existing *kacha* road or whether the route of the Trunk Road is quite different from that of the existing *kacha* road. If the latter, why is a different route chosen?

(*d*) Is it a fact that representations have been made to His Excellency the Governor and the Deputy Commissioner of Ferozepore by the people of villages Abdul Kharana, Malaut, etc., for certain changes and diversions of the said road and for the construction of the same so as to pass through Dabwali, Abohar and Abulkharana?

(*e*) Is the Government aware that such a diversion will materially affect the traffic and cause great inconvenience to the people of big villages like Kala Tibba, Raipur, Detaranwali, Sardarpura, Sukhchain, Site Khuban, Madi, Kanda Khata, Tarn ala, etc., and such diversion will involve a longer road and cost about Rs. 60,000 more and will be less useful particularly when there exists a railway line between Abohar and Malaut?

The Honourable Sardar Jogendra Singh: (*a*) Probably caravan routes existed in pre-British times by which travellers could reach Delhi from Karachi but to ascertain precisely whether any of these passed through the villages mentioned would require historical research.

(*b*) There is no proposal to make a Grand Trunk Road from Delhi to Karachi, but there is a proposal to make an arterial road from Delhi to Montgomery.

(*c*) The alignment for the Delhi-Montgomery arterial road is at present under investigation and no final decision has been reached.

(*d*) and (*e*) Representations have been made to Government, urging the interests of various towns. Endeavours will be made to select the alignment which is best calculated to serve the general interest.

GRANT OF LAND TO MALIK RAJPUTS OF THE JULLUNDUR TOWN.

2768. Maulvi Mazhar Ali Azhar: (*a*) Is the Government aware that the Malik Rajputs of the Jullundur town have always been serving in the army and during the great war they helped the Government with men and money and served on various fronts?

(*b*) Is it a fact that they have been petitioning the district authorities and the Local Government since 1925 that land may be granted to them in the canal colonies?

(*c*) Is it a fact that no answer has so far been given to the petitioners?

(*d*) Does the Government propose to consider the claims of the petitioners?

The Honourable Mian Sir Fazl-i-Husain: The selection of grantees of land in the canal colonies for services rendered in the Army rests with the military authorities. Government is not aware whether any Malik Rajputs of Jullundur town have been selected or not.

POULTRY BREEDING.

2769. **Maulvi Mazhar Ali Azhar**: (*i*) (*a*) Will the Government please state when poultry breeding was started at the Agricultural Farm, Gurdaspur?

(*b*) What was the annual income from the expenditure on the poultry?

(*c*) When was the system of poultry breeding stopped and what were the reasons for the stoppage?

(*ii*) (*a*) Will the Government please state the farms wherein poultry breeding is carried on at present?

(*b*) When was each such farm first established and when did it commence the work of poultry breeding?

(*c*) What was the income from and expenditure on poultry breeding in each case during the years 1923-24 and 1924-25?

The Honourable Sardar Jogendra Singh: The honourable member's attention is invited to the answer given to Council Question No. 1725* on 1st May 1925. There is no Government poultry breeding farm at present, nor was there ever such a farm at Gurdaspur. Steps are, however, being taken to start work on poultry breeding, and provision for an Extra Assistant Director of Agriculture for this purpose is being asked for in next year's budget.

NEWSPAPERS AND GOVERNMENT ADVERTISEMENTS.

2770. **Maulvi Mazhar Ali Azhar**: (*i*) (*a*) Will the Government please state the names of the newspapers and periodicals in the Punjab to whom advertisements were given by the Government for publication during 1923-24 and 1924-25?

(*b*) What was the sum paid to each such paper or periodical by Government during each of the two years for the advertisements?

(*ii*) (*a*) Will the Government please lay on the table a statement showing the names of the newspapers and periodicals published outside the Punjab to whom the Local Government furnished advertisements for publication during 1923-24 and 1924-25?

(*b*) What was the amount paid to each such newspaper or periodical during each of the two years for the advertisements?

The Honourable Sir John Maynard: (*i*) (*a*), (*b*) and (*ii*) (*a*), (*b*). The information asked for is not available and cannot be furnished except after an enquiry from all Departments, Courts and districts in the Province. Government is not prepared to undertake such an enquiry.

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* Vol. VIII-A, pages 861-62.

GOVERNMENT SERVANTS SUSPENDED, ETC.

2771. Maulvi Mazhar Ali Azhar: Will the Government please state—

(i) the number of Government servants belonging to the Indian Civil Service suspended, degraded or dismissed during 1923, 1924 and 1925, giving the numbers for each branch of the service separately;

(ii) the number of those belonging to the Provincial Civil Service so suspended, degraded or dismissed during the same years, giving the numbers for each branch of the service separately?

Mr. J. M. Dunnett: (i) Nil.

(ii) The information required is given in the statement below:—

Punjab Civil Service.

	1923.		1924.		1925.	
	Executive.	Judicial.	Executive.	Judicial.	Executive	Judicial.
Suspended ...	...	...	2	..	1	1
Degraded ...	—	...	...	...		...
Dismissed ...	...	...	...	...	1	1

PROSECUTION OF NEWSPAPER EDITORS FOR OBSCENE PUBLICATIONS.

2772. Maulvi Mazhar Ali, Azhar: Will the Government please state the names of the newspapers and periodicals whose proprietors or other persons connected with their publication were prosecuted for publishing obscene advertisements during 1923, 1924 and 1925? What was the result of the prosecution in each case and who were the persons prosecuted?

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

Statement showing the name of newspapers and periodicals who were prosecuted for publishing obscene matters under section 292, Indian Penal Code, during the years 1923, 1924 *and* 1925.

1	2	3	4	5
Serial No.	Name of newspaper.	Date of issue.	Name of accused.	Result.
		1923.		
1	"Bande Mataram" ...	29th December 1922.	Mela Ram, *Wafa*, editor, printer and publisher.	Fined Rs. 200.
2	"Ditto" ...	20th January 1923.	Ditto ...	Fined Rs. 100.
3	"Ditto" ...	31st January 1923. and 2nd February 1923.	Ditto ...	Fined Rs. 75 in each case.
4	"Ditto" ...			
5	"Kesari" ...	2nd February 1923.	Sham Lal, Kapur, editor, printer and publisher.	Fined Rs. 150.
6	"Tahrik" ...	July 1923 ...	Muzaffar Hussain, *Dehlvi*, editor, printer and publisher.	Fined Rs. 50.
		1924.		
1	"Guru Ghantal" ...	2nd June and 14th July 1924.	Thakur Mangal Singh, editor, printer and publisher.	Acquitted.
2	"Sardar" ...	22nd November 1924.	Mohan Singh, editor, printer and publisher.	1½ months' rigorous imprisonment.
		1925.		
1	"Sudarshan" ...	19th August 1925	1. Gyan Chand *Tabib*, editor. 2. Narpat Rai, Sharma, printer and publisher.	Fined Rs. 30 each.
2	"Kok Shastar" ...	April 1925 ...	Doctor Dharam Dev, editor, printer and publisher.	Fined Rs. 51.
3	"Paigham-i-Amal"	1st September 1925.	Syed Barjis, editor, printer and publisher.	Fined Rs. 200 or in default to undergo two months' simple imprisonment. On appeal the sentence was reduced to Rs. 25 only.
4	"Siyasat" ...	4th December 1925	F. U. Nasim, editor, printer and publisher.	Fined Rs. 200 or in default to undergo two months' simple imprisonment.

FINANCIAL HELP TO GOVERNMENT SERVANTS TO SUE NEWSPAPERS FOR DAMAGES FOR DEFAMATORY ARTICLES.

2773. Maulvi Mazhar Ali, Azhar: (a) Will the Government please state the names and designation of those public servants who have been financially helped by the Government in bringing suits for damages against newspaper proprietors (giving the names of the persons sued against) for having published defamatory articles against those public servants in their papers during 1922, 1923, 1924 and 1925?

(b) What was the result of each suit or appeal, if any?

(c) What was the amount advanced for the prosecution of each suit or appeal? What part of the amount has been recovered and how much is expected to be recovered? Is there any amount which it is impossible to recover?

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

PLAGUE IN GURDASPUR DISTRICT.

2774. Maulvi Mazhar Ali, Azhar: Will the Government kindly state—

(a) the number of cases of plague in each tahsil of the Gurdaspur district during the years 1924 and 1925 and the number of villages in each tahsil affected thereby;

(b) the number of deaths in each tahsil from the epidemic?

The Honourable Rai Sahib Chaudhri Chottu Ram: A statement giving the necessary information is laid upon the table:—

Statement showing by tahsils the number of plague cases and deaths and villages infected in Gurdaspur District during the years 1924 and 1925.

No.	Name of Tahsil.	1924.			1925.			Remarks.
		Cases.	Deaths.	Villages infected.	Cases.	Deaths.	Villages infected.	
1	Gurdaspur ...	379	299	52	2,931	1,790	146	
2	Batala .	353	280	30	1,357	679	57	
3	Shakargarh ...	4,278	2,677	273	192	180	19	
4	Pathankot ...		...	...	121	107	9	
	Total ...	5,010	3,256	355	4,604	2,846	231	

HONORARY MAGISTRATES.

2775. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to lay on the table a statement giving the names of the Honorary Magistrates in the Punjab showing which, if any, of the following posts or positions is held by each one of them :—

Lambardarship.

Zaildarship.

Membership of any Panchayat, Small Town Committee, Notified Area Committee, Municipal Committee, District Board, Provincial Legislative Council, Indian Legislative Assembly or Council of State?

The Honourable Sir John Maynard: Government has no information on the subject of this question other than that available in the January 1926 issue of the Quarterly Civil List, a copy of which will doubtless be found in the Council Library. The statement asked for cannot be prepared without an amount of labour which Government does not consider to be justified in the circumstances.

GOVERNMENT EXPENSES ON NEWSPAPER ARTICLES.

2776. Maulvi Mazhar Ali, Azhar: (*a*) Will the Government kindly state what amount was spent by it in 1924 and 1925 for having articles written in newspapers or periodicals?

(*b*) In what newspapers or periodicals were the articles published?

(*c*) How many articles were published in each newspaper or periodical?

(*d*) How many persons were engaged to write the articles?

The Honourable Mian Sir Fazl-i-Husain:

				Rs.
(*a*) Financial year 1923-24		...	...	2,500
" " 1924-25		...	...	6,457

(*b*), (*c*) and (*d*). Every effort has been made to use suitable papers, and all subjects on which public appeared to need information have been dealt with. The expense incurred has been as little as possible. Any more definite information can hardly serve public interests, but if the honourable member has any definite suggestion to offer Government will be very pleased to receive and consider it.

LIQUORS PREPARED IN THE PUNJAB DISTILLERIES.

2777. Maulvi Mazhar Ali, Azhar: (*a*) Will the Government be pleased to state—

(*i*) what liquors were prepared in the Punjab distilleries during the years 1918, 1919, 1920, 1921, 1922, 1923, 1924 and 1925;

(*ii*) what was the quantity of each kind of liquor prepared in each distillery?

(*b*) what was the quantity of each kind of such liquors consumed in the province during the said years?

The Honourable Sardar Jogendra Singh: The honourable member is referred to the Provincial statement C and Imperial Returns No. IV, appended to the Reports on the Excise Administration of the Punjab for the years in question.

LIQUOR PREPARED IN PUNJAB BREWERIES.

2778. Maulvi Mazhar Ali, Azhar: (*a*) Will the Government please state—

(*i*) what liquors were prepared in the Punjab breweries during the years 1918 to 1925;

(*ii*) what was the quantity of each kind of such liquor prepared in each brewery during each of the said years?

(*b*) what was the quantity of each kind of such liquors consumed in the province during the said years?

The Honourable Sardar Jogendra Singh: (*a*) (*i*) Ale, Beer, Porter and Stout, but mainly Beer.

(*a*) (*ii*)

				Gallons.
1918	...	...	...	4,131,381
1919		...	...	3,178,633
1920	...	...	...	1,696,126
1921	...	...	...	2,003,995
1922	...	...	...	1,971,199
1923	...	...		1,940,678
1924	...	...	...	1,864,381
1925	...	...	...	1,608,554

(*b*) The honourable member is referred to Imperial Return IV, attached to the Excise Reports for the years in question in regard to malt liquors. Separate statistics for the various kinds of malt liquors do not exist.

FOREIGN LIQUORS.

2779. Maulvi Mazhar Ali, Azhar: (*a*) Will the Government kindly state—

(*i*) the various kinds of foreign liquors imported into the Punjab during the years 1918 to 1925:

(*ii*) the quantity of each kind of such liquors imported during each of the said years:

(*iii*) the quantity of each kind of such liquors consumed during each of the said years?

(*b*) Was any liquor imported into the Punjab during the said years from any distillery or brewery in any other province? If so, what liquors were imported, wherefrom and in what quantities? What quantity of each was consumed during the said years?

(*c*) What liquor, if any, was exported from the Punjab during the said years and in what places?

The Honourable Sardar Jogendra Singh: (*a*), (*b*) and (*c*) Such information as is available on the points raised by the honourable member will be found in Imperial Returns IV and IV-A, attached to the Provincial Excise Reports for the years in question.

MARTIAL LAW PRISONERS.

2780. Maulvi Mazhar Ali Azhar: Will the Government be pleased to state with reference to the "List of Martial Law prisoners" transferred to Calcutta (*vide* Answer to Question* No. 1951) why Nos. 1, 2, 4, 8, 29 and 31 have been sent back from the Andamans, while the others are still kept there?

The Honourable Sir John Maynard:

1.	Shangara Singh, son of Sher Singh.	Was conditionally released at the Andamans on 16th February 1920 and was rearrested on 5th November 1920 by orders of the Punjab Government to undergo the unexpired portion of his seven years' sentence.
2.	Din Muhammad, son of Muhammad Bakhsh.	Was returned as his sentence was reduced to 10 years' rigorous imprisonment.
4.	Gujrat, son of Thakar Das.	Ditto ditto.
8.	Mahna Singh, son of Dhian Singh.	Ditto ditto.
29.	Sundar Singh, son of Kala Singh.	Was returned as "incorrigible."
31.	Bugga, son of Piara Mal.	Was returned on medical grounds.

PROSECUTION OF PUNJABIS AT PRESENT IN FOREIGN COUNTRIES.

2781. Maulvi Mazhar Ali, Azhar: (*a*) Has it come to the notice of the Government that during the recent debate on the resolution of Maulvi Muhammad Shafi, M.L.A., in the Indian Legislative Assembly, regarding the release of political prisoners and internees and permission to those Indians who have gone to foreign countries to return to India, the Honourable the Home Member referring to those who have gone out of India said that the Government would not stand in the way of any one of them returning to India, but against some of them cases may be instituted for having broken the law of the land?

(*b*) Will the Government kindly state whether they have got any cases or prosecutions to institute against any of the persons belonging to the Punjab who have gone to foreign countries?

(*c*) If the answer to the above be in the affirmative, will the Government kindly state the names of such persons against whom they propose to set the law in motion if they return? Will the Goverment also state the nature of the offence committed by each of such persons?

The Honourable Sir John Maynard: (*a*) Government has seen newspaper accounts.

(*b*) and (*c*) The honourable member is referred to the answer given in February 1925, to question No. 1469,† asked by Chaudhri Afzal Haq.

Maulvi Mazhar Ali, Azhar: Does the Government propose to get hold of official information and reconsider the position in consideration of the statements made there?

The Honourable Sir John Maynard: No, Sir.

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*Vol. VIII-B, page 1168, and Appendix VIII, pages cxxxviii to cxl.
†Vol. VIII-B, page 281.

VISIT OF JAILS BY NON-OFFICIAL VISITORS ON SUNDAYS.

2782. Maulvi Mazhar Ali, Azhar: (a) Will the Government be pleased to state whether it has considered the question of allowing non-official visitors to visit the jails on Sundays as well as at night time?

(b) If so, will the Government please state the conclusion to which it has come?

The Honourable Sir John Maynard: Yes, and it has been decided not to alter the present rules, whereby such visits are prohibited.

VISIT OF HOSHIARPUR SUB-JAIL BY CHAUDHRI AFZAL HAQ AND SHAIKH MUHAMMAD DIN.

2783. Maulvi Mazhar Ali, Azhar: (a) Is it a fact that Chaudhri Afzal Haq, M.L.C., and Shaikh Muhammad Din, Bar.-at-Law, of Hoshiarpur, visited the Hoshiarpur sub-jail during the last year?

(b) Is it a fact that they found under-trial prisoners doing several kinds of labour?

(c) Will the Government kindly lay on the table a copy of the joint note of inspection made by them?

(d) What action has been taken by the Government in the matter?

(e) Is it a fact that the Deputy Commissioner, Hoshiarpur, expressed dissatisfaction at the conduct of Shaikh Muhammad Din in making the remarks?

(f) Is it a fact that subsequent to and consequent on the report of this visit, Shaikh Muhammad Din's name has been removed from the list of non-official visitors of jails?

The Honourable Sir John Maynard: (a) Yes.

(b) Yes, but the under-trial prisoners in question were working voluntarily, as permitted by section 809, Jail Manual.

(c) A copy is laid on the table.

(d) None.

(e) Not so far as Government is aware.

(f) Shaikh Muhammad Din was not re-appointed as a non-official visitor on the conclusion of his term, but Government does not connect this fact with the incident referred to above.

Copy of remarks recorded by Chaudhri Afzal Haq, M.L.C., Non-official visitor, on the Minute book of the Hoshiarpur Sub-Jail.

I paid a surprise visit and Mr. Muhammad Din, Bar.-at-Law, was with me. This jail is over-crowded. The sanctioned accommodation is for 100 prisoners but at present there are 136 men of all classes in this Jail.

I have seen the store of grain. I think the wheat is of superior quality as compared with the wheat of other jails. Dals are very satisfactory.

I have seen 5 under-trials working on the well; one other working on Ghikawar. Three under-trial carpenters were making plough. I think this is very objectionable. Under-trials should not be given labours. I am told that this labour is given only for recreation. I cannot agree with this explanation, at the same time I have not ventured to verify from the prisoners working whether they are working for recreation or otherwise. I have been in jail for about an hour but their recreation did not end.

There was one convict who was ordered to undergo imprisonment a week since but he was not given jail clothings.

There is only one patient who is kept in chholdari and that chholdari was not clean. Truly speaking this jail is not kept clean, that perhaps due to overcrowding and dusty days.

VERNACULAR TEACHERS APPOINTED AS ASSISTANT DISTRICT INSPECTORS OF SCHOOLS.

2784. Sardar Tara Singh: (*a*) Will the Government be pleased to lay on the table a list of vernacular teachers appointed to work as Assistant District Inspectors of Schools stating at the same time their educational qualifications, past experience, period of service and the community to which they belong?

(*b*) Does the Government propose to appoint some qualified Sikhs for these posts and, if so, when?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (*a*) The honourable member is referred to the answer given to Council Questions 1961 to 1975.*

(*b*) Government will consider the matter.

INCREMENT OF PAY TO THE OFFICERS OF THE PUNJAB IRRIGATION DEPARTMENT.

2785. Sardar Tara Singh: (*a*) Is it a fact that the Punjab Irrigation Department issued a letter on 1st August 1923 stating that an officer will not ordinarily be allowed an increment of pay after the sixth year of his service unless and until he passes the prescribed examinations?

(*b*) Will the Government please state when this order was actually communicated to the officers affected by it?

(*c*) Will the Government please state if some officers have since drawn their increment after sixth year and without passing the examination?

(*d*) If the answer to part (*c*) be in the affirmative, will the Government please state the circumstances under which they drew the increment?

(*e*) Does the Government propose to consider the desirability of remitting the increments so drawn under article 22 of Civil Account Code?

The Honourable Mian Sir Fazl-i-Husain: (*a*) Yes.

(*b*) 2nd August 1923.

(*c*) None.

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

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*Vol. VIII-B, pages 1167 and 1181 and Appendix VIII, page xiii.

SUITS BY LANDLORDS AGAINST PARTNERS IN CULTIVATION.

2786. Sardar Tara Singh: (*a*) Will the Government please state how many suits have been lodged by landlords against partners-in-cultivation (Ji Siris) for the recovery of amounts advanced at the time of the latter's employment in the Ferozepore district within the last 2 years?

(*b*) Is the Government aware that a large number of partners-in-cultivation (Ji Siris) leave service and run away soon after receiving big advances?

(*c*) If the answer to part (*b*) be in the negative, will the Government cause an enquiry to be made by the Deputy Commissioner of the district and take suitable action in case his report confirms the complaint involved in part (*b*)?

The Honourable Mian Sir Fazl-i-Husain: (*a*) The information asked for is not available.

(*b*) Government has no information.

(*c*) The information made available by the honourable member does not seem to justify the action suggested by him.

OFFICERS IN THE JULLUNDUR DIVISION.

2787. Chaudhri Saadullah Khan: (1) Will the Government please give (*a*) the name, (*b*) caste, and (*c*) community of the following office-holders in the five districts of the Jullundur Division and also state whether they are agriculturists or not :—

(*i*) Superintendents attached to the Deputy Commissioners offices of the Jullundur Division;

(*ii*) The head clerks in Deputy Commissioners' offices in all the five districts of the Jullundur Division;

(*iii*) The district Nazirs in the districts of the Jullundur Division?

(2) If none of the said office-holders are agriculturists, does the Government propose to consider the advisability of appointing agriculturists to such offices whenever future vacancies arise?

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

SUB-REGISTRARS AND MUSLIM RAJPUTS OF JULLUNDUR DISTRICT.

2788. Chaudhri Saadullah Khan: (*a*) What is the total population, and annual land revenue of the Jullundur district?

(*b*) What is the total Muslim Rajput population of the district and the land revenue paid annually by them?

(*c*) What is the number of Sub-Registrars in the Jullundur district and how many of them are Muslim Rajputs?

(*d*) If the reply to part (*c*) of the question be 'none', does the Government propose to consider the advisability of appointing Muslim Rajputs in the future vacancies?

The Honourable Rai Sahib Chaudhri Chhotu Ram :

(*a*) Total population 822,544

Demand for land revenue for the year ending Rabi 1924 ... ... Rs. 18,13,889,

(*b*) Total Muslim Rajput population 59,325

The total land revenue paid annually by Muslim Rajputs cannot be obtained without an excessive amount of labour.

(*c*) Six. None of them is a Muslim Rajput.

(*d*) Subject to other considerations which guide the selection of sub-registrars, the claims of Mussalman Rajputs will receive due consideration.

HONORARY MAGISTRATES IN THE JULLUNDUR DIVISION.

2789. **Chaudhri Saadullah Khan :** Will the Government please give the names and castes of the Honorary Magistrates in the Jullundur Division ? If there be no Muslim Rajput among them, has the Government considered their claims in this respect ?

The Honourable Sir John Maynard : The information asked for will be found in part XXVIII of the Quarterly Civil List, corrected up to the 1st January 1926, a copy of which is doubtless to be found in the Council Library. As regards the second part of the question, the honourable member is referred to my answer to question No. 2853* of the 26th October 1923 in which the rules for the appointment of Honorary Magistrates were communicated. Government is not prepared to give any special undertaking in favour of Muslim Rajputs or any other particular community.

REPORT OF THE SHAHPUR CANAL BRANCH COMMITTEE.

2790. **Captain Dhan Raj, Bhasin :** (*a*) Will the Government be pleased to lay on table the report submitted by Shahpur Canal Branch Committee ?

(*b*) If no report has been submitted so far, will the Government kindly state the reasons for the delay and also ask the committee to submit its report by the end of March 1926 ?

(*c*) Is it a fact that the question whether the Shahpur Canal Branch be opened or not was not one of the terms of reference of Shahpur Canal Branch Committee ?

(*d*) If reply to part (*c*) be in the affirmative, will the Government be pleased to take immediate steps to open the Shahpur Canal Branch ? If not, why not ?

The Honourable Mian Sir Fazl-i-Husain : The report has reached Government and is being considered.

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*Vol. V, pages 346-47.

ENQUIRY INTO THE ASSAULT ON LALA BODH RAJ IN THE MONTGOMERY CENTRAL JAIL.

2791. Captain Dhan Raj Bhasin: (a) Will the Government please lay on the table the report of the Punjab Jails Committee regarding the inquiry into the assault in the Montgomery Central Jail in December last on Lala Bodh Raj, M.A., LL.B., M.L.C., a non-official visitor of Punjab Jails?

(b) Will the Government please state what action has been taken by it on the said report?

The Honourable Sir John Maynard: The Government will lay the report on the table of the House and will also communicate the purport of the orders passed upon it, but not at present.

GOVERNMENT'S DEMANDS FOR GRANTS.

FORESTS GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I beg to move:—

"That a sum not exceeding Rs. 30,95,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Forests."

Mr. President: The question is—

"That a sum not exceeding Rs. 30,95,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Forests."

Chaudhri Afzal Haq (Hoshiarpur *cum*-Ludhiana, Rural) (Urdu): Sir, this is perhaps the first time that a discussion has been raised on the policy of this department. (*The Hon'ble Mian Sir Fazl-i-Husain:—Question*). There has been a great tension between the various communities and the reason for this is that the various communities do not get their proper share in the administration of the country. The proportion of the various communities in public offices is not properly kept in the recruitment to those offices and the result is that when a particular community gets insufficient representation, they begin clamouring and then comes the tug-of-war. Sir, Muhammadans have not been given their due share in this department. I do not mean to imply that undeserving people, people who are not properly qualified to hold offices should be encouraged but there is no doubt that no community has ever requested the Government to appoint more men of a particular community than their due share in any department. Why then is it that Government does not keep the proper proportion in these public offices. The figures supplied in answer to questions Nos. 2538* and 2543† show that Musalmans form only 8 per cent. in the Imperial Forest Service, 18 per cent. in the Provincial Forest Service and only 27 per cent. in Forest Rangers grade. Honourable Mian Sahib admitted the accuracy of these figures. There is then no reason why Government should not take steps to remedy it even before an agitation is set afoot. Do they like that a member of one community should demand certain rights for his community and another belonging to the other community should oppose it so that they may enjoy the *tamasha*? It is the duty of the Government to see that justice is done and if it does not do its duty in that respect then the responsibility of the creation of the present communal tension is absolutely their own. Has ever any Sikh, Muslim or a Hindu requested it to appoint only 8 per cent. Muhammadans in the Forest Service? This is

*Pages 216-27 *ante*.
†Page 230 *ante*.

of its own doing. They are themselves to blame for it. They do not regulate properly the representation of the different communities in the various departments.

Mr. C. A. Barron : I deny that.

Chaudhri Afzal Haq : You can deny it later on but the facts and figures do not support such a denial. The Honourable Revenue Member has not denied the accuracy of the figures quoted by me. How, then can my honourable friend deny it? Sir, Muhammadans have many grievances against this department. I do not like to go into the details, nor do I like to raise unnecessary objections. I only want to ask them to keep this point in view while recruiting new men. I do not like the idea of people grumbling against the unjust treatment accorded to them in a particular department. Why should Musalmans be allowed to complain against the preponderance of Hindus and Hindus against that of the Musalmans when this can be avoided? Government can avoid it all and if it does not do that, we shall be forced to draw our own conclusions that the Government intentionally creates dissensions. Otherwise never has any community requested the Government to give it more than its due. I, therefore, request the Government to adjust the proportion of various communities in the Forest as well as other services even before the people agitate for it. With these words I move—

"That the total grant be reduced by Re. 1."

Mr. President : Grant under discussion, motion moved—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

Mr. C. A. Barron (Financial Commissioner, Development) **:** Sir, I have very little to say in reply to the honourable member's remarks which apply very thinly indeed to the Forest department. The fact of the matter is that service in the Forest department does not seem to appeal to the community to which the honourable member belongs. It is therefore not in the hands of Government at all to increase the number of his co-religionists in the Forest department. When they come forward and when they are as good at the work as members of other communities and show a liking for work in the jungles, then Government will be glad to recruit them in that department.

Mr. President : Grant under discussion, motion moved—

"That the total grant be reduced by Re. 1."

Chaudhri Afzal Haq : Sir, I wanted to withdraw my amendment.

Pandit Nanak Chand : It is too late now.

Mr President : Until a question is fully put, a member of the House is at liberty to ask for leave to withdraw his motion. A question is fully put only when the voices both of "Ayes" and "Noes" have been taken.

Chaudhri Afzal Haq : Sir, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Mr. President : The question is—

"That a sum not exceeding Rs. 30,95,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Forests."

The motion was carried.

REGISTRATION GRANT.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Education) : Sir, I beg to move—

"That a sum not exceeding Rs. 98,400 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Registration."

The motion was carried.

IRRIGATION GRANT.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir I beg to move—

"That a sum not exceeding Rs. 3,13,47,000 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Irrigation."

Mr. President : The question is—

"That a sum not exceeding Rs. 3,13,47,000 be granted to the Governor-in-Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Irrigation."

Sardar Tara Singh [Ferozepore (Sikh) Rural] : Sir, I beg to move—

"That the grant be reduced by Rs. 10 with respect to the item of Rs. 14,15,000—55-A (1) (a)—Total Irrigation Works—Productive."

Sir, the discussion which I am going to open in this House relates to the fortune or destiny of people of a specified area who require the help and active sympathies of the honourable members of this House. My proposal is to discuss the question of the opening of a certain *rajbaha* in both the districts of Ferozepore and Ludhiana. Sir, there the soil is so hard that it is really very difficult for a crop to mature after one or two rains. The revenue officers of both the districts have had a chance to see that area and they are all of the definite opinion that the area is so dry that it is difficult to depend upon rain. This has been the state of affairs there for the last few years and we have had practically no crop in that area and there have been continuous famines. So much so, that there is no fodder even and the cattle are dying there of hunger.

My second point is that well water is so deep and the sinking of a well is so expensive that it is never undertaken.

Thirdly, if any man of good fortune happens to sink a well, the water is salty and not suitable for growing crops. So the result is that people are hard pressed for food and for fodder, but it is the duty of Government to come to the rescue of that area and give them some help in the way of irrigation. Realising this necessity the Executive Engineer of the Ludhiana division came to the spot and formed the opinion that water could be spared to be brought to that area and that that would relieve the difficulty and remove the misery of the people. With that object in view, Sir, he got the survey of the area to be made and an estimate prepared. Thereafter the executive authorties in Ferozepore and Ludhiana strongly recommended that this project should be carried out to relieve the people of their misery. An estimate was prepared and it was submitted to Government for approval,

but unfortunately that estimate was a bit above the limit that was prescribed by Government. It was again adjusted to the proper limit and the department had no objection to it. Now I have come to know that there is one serious objection on the part of the department that no surplus water can be had from the canal because of the agreement that has been made between Government on the one hand and the Bikaner and the Bahawalpur States on the other. It is a great difficulty, but at the same time it is the clear duty of Government to do something to remove hunger and proverty in that area. What I want to submit to Government is that they should do all in their power to secure a supply of water sufficient for the needs of the area extending over a few miles. If the canal officers were to again estimate the supply of water required and reserve something for this *rajbaha*, I think it will not cause any hardship to other people. It may be that there are some areas where water is not entirely utilised, being more than the requirements. Therefore in the light of these remarks I would request the Chief Engineer who has promised to help us to reconsider all these questions, to try his best to secure some water for carrying out this project which will remove the misery of the last 20 or 30 years. There is no rain there. Water is deep. If a well is sunk, the water is saltish and expensive. Under these circumstances I again request Government to help us in this time of calamity. With these few remarks I move my amendment and résume my seat.

Mr. President : Grant under discussion, motion moved—

"That the grant be reduced by Rs. 10 with respect to the item of Rs. 14,15,000—55-A (1) (*a*)—Total Irrigation Works—Productive."

The question is that that motion be adopted.

Mr W. P. Sangster (Chief Engineer, Irrigation) : Sir, the chief difficulty about the scheme which has been spoken about by the member who has just sat down is to get water for it. To extend irrigation to this particular area will require a discharge of 133 cusecs. The difficulty is where to get 133 cusecs from. The whole of the Sirhind Canal supply is already fully utilised. The authorised full supply cannot be exceeded, because anything over that authorised full supply has been earmarked for the Sutlej Valley Project under the agreement with the States of Bikaner and Bahawalpur. That supply which has already been earmarked cannot be encroached on. Therefore we cannot take the extra 133 cusecs out of the river. The only feasible way of extending irrigation to this particular area would be by trying to squeeze 133 cusecs out of some other area. That would mean taking water away from an area perhaps which had already been accustomed to the supply and putting it on to this particular new area. This is not a very easy thing to do. Of course as the member who has just spoken said it may be that there are some areas which are suffering from water-logging.

If there are any such areas it might be possible to reduce or restrict the amount of irrigation in those areas and utilise the water elsewhere. I can give an assurance to the honourable member who has just spoken that every effort will be made to find out such an area and if there is any such area from which the water can be squeezed out, arrangements will be made to try to squeeze out sufficient water for that particular area. The matter is still under consideration and every effort will be made to do so. I do not think I need say anything more at present.

Sardar Tara Singh : In view of the assurance given by the Chief Engineer for Irrigation, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural]: Sir, I beg to move—

"That the total grant be reduced by Rs. 50,00,000."

In moving this reduction and not moving for a reduction of the formal one rupee I have my reasons. I am not moving this reduction to cast a slur on the Irrigation department or to pass a vote of censure on that department. I am one of those who have the greatest admiration for the department and I represent a constituency which has derived the greatest benefit from the canals constructed by that department. I may even go the length of saying that this motion is to record a vote of confidence. (Hear, hear and laughter.) I thought of moving for a reduction of Rs. 50,00,000 instead of Re. 1 for this reason that the amount represents the amount of enhanced *abiana*.

The Honourable Sir John Maynard: No, Sir, it is not correct.

(*A voice*: *It is 37½ lakhs.*)

Sayad Muhammad Husain: I speak subject to correction. If the Government is willing to permit I will change the figure Rs. 50,00,000 into 37½ lakhs. This amount, Sir, corresponds to the increase which has been made in the *abiana*.

After making this preliminary remark I proceed to say that it has been my good luck or bad luck that the discussion on *abiana* always falls to my lot.

Asmán bár-e-amanat natwánast kashid
Qurá-e-fál banáme mane diwána zadand.

You may call me mad or anything (laughter).

Now, Sir, stress has been laid that this *abiana* is a fee and not a tax; therefore Government has a right to charge anything in the form of fee for the commodity which they sell. I would like here to quote an authority to show that this is not a fee but a tax. The authority is perhaps one of the greatest authorities on taxation. Mr. Saligman, an American authority on taxation, says—

"If the charge is less than cost, the special benefit is *pro tanto* converted into a common benefit, until finally there is no charge, because no special benefit. If the charge is more than cost, the special benefit is *pro tanto* converted into a special burden, until finally the charge is all tax, because it is all burden, and no special benefit."

I shall cite the remarks of another great authority on the subject, the authority of the Honourable Minister for Agriculture. He is a great authority on the subject because he was a member of the Taxation Committee. He says in his memorandum to the report of the Taxation Committee—

"I hold that irrigation is one of the essential services the State must perform at the least possible cost and the cost for water should bear a definite ratio to the other costs of production."

That is what my honourable friend the Minister for Agriculture, a very great authority on taxation says. Let us see what is the cost which the Government takes. If we go into the history of this water-tax we find that these canals were constructed with the loans which were floated either in India or outside India for the express purpose of constructing these canals.

These loans were secured at different rates of interests. In the beginning the rate of interest was very small and afterwards it rose till it is now 6 per cent. The net cost or the net benefit on the outlay after deducting the expenditure on the productive canals worked out is about 14·63 per cent. This is the figure given in the Irrigation Department Administration Report which is not a confidential document I suppose. If I am wrong, I trust the Chief Engineer will correct me. That is the percentage of net profits from these canals. I think the income would have increased by this enhanced *abiana* rates in 1924-25 and 1925-26. After paying the maximum interest of 6 per cent. and after deducting the maintenance expenses the Government realised in 1921-22 about 14·63 per cent. on the capital outlay. What do the other provinces derive upon their irrigation schemes? I have not got the figures of all the provinces, but I have got the figure for Bombay. There the charges are not more than 2 per cent. generally. I can however say that not a single canal works out to more than six per cent. It is written in the book, "Agricultural Progress in Western India" that irrigation canal in the Deccan cannot be said to pay more than 2 per cent. interest on the capital outlay.

Now, Sir, if we analyse the economic result of this enhanced *abiana*, it will be observed that the rates have been enhanced generally upon the rural population. My friend representing the depressed classes said that these were great magnates and princes who had made great fortunes. (*A voice: Who is the representative of the depressed classes?*) I am sorry if I am mistaken in my reference to the constituency which my honourable friend Sir Gopal Das Bhandari represents (laughter). He depicted a picture of these big landlords and magnates getting crores and crores of rupees and making fortunes. May I ask him with your permission, Sir, how many such magnates there are in the province?

Professor Ruchi Ram Sahni: Who said that?

Sayad Muhammad Husain: May I have your permission to mention his name. I am sorry I do not know which constituency he represents.

Mr. President: It appears that the ruling which I gave the other day has been misunderstood by some of the members. When making reference to another member the name of whose constituency is very long or not familiar, it is not irregular to refer to that member by name.

Sayad Muhammad Husain: My honourable friend Sir Gopal Das Bhandari stated (laughter) something about these big landlords. These, Sir, can be counted in one's fingers. They are only very few. The majority of the population who are affected by the enhanced *abiana* are those who hardly own more than 5 acres of land and in congested areas they do not own more than 2 acres. I may say, Sir, that in your own district you won't find a single magnate of that magnitude. This is the condition of the province. This is the population upon whom this tax has been levied and enhanced afterwards. What is the economic condition of the people? What is the economic effect of the enhanced *abiana* on these people? In the beginning the *abiana* was on matured crop. Now it is on the sown area. My honourable friend the Chief Engineer told me that it is the order that on any crop which is liable to give 25 per cent. of the yield no *kharaba* is given. What is the result? The result is that even if we get only 25 per cent. of the crop we have to pay the full *abiana*. Thus it really comes to this that *abiana* is charged on the sown area, and not on the matured area.

[Sayad Muhammad Husain.]

Now, Sir, it is a common knowledge that water in the rabi is very small. The quantity of water in the river is so small that canals cannot be run except in rotation. What is the effect of this rotation? Can it do anything? I ask the Honourable the Revenue Member and the Minister for Agriculture to answer this question. Because they themselves possess lands and it is therefore for them to judge. What is the effect of this rotation? Crops cannot mature without getting four waterings at least. I can say that on the Lower Bari Doab something like 33⅓ per cent. of the total wheat area has not got till now a second watering. The crops remain what they were before without maturing. The water in the canals is insufficient and so the yield will be considerably less than what it would have been had the conditions been otherwise. If you were to work out the incidence of *abiana*, land revenue, cesses and other bills which the poor zamindar has to pay—I will not talk of other bills which he has to pay—the result will be that in rabi at least nothing would be left for him to live upon. He has to go and beg at the door of the *sahukar* whose hands we are trying to bind down by bringing legislation here. We can bind the hands of the *sahukar*, but how can we bind the hands of the Government? We can only make a humble submission, a humble request and a humble appeal to the Government to come to our rescue, to come to the rescue of the people whose grievances fill the columns of the Press every day. These poor zamindars must be helped. If the Government really wants to help these poor zamindars, to uplift these people, then they should come forward with relief by reducing the *abiana*. The Government is charging the poor people more than what they can legitimately pay. It is one of the cardinal rules and principles of taxation that ability to pay is not only the ideal basis of taxation but the goal towards which society should steadily work (Hear, hear). We have to determine the ability of the people to pay and if we take away everything that they derive from their fields by way of taxation, what is it that will be left for them? The zamindar has to pay something for upholding the dignity and discharging his duty towards God, he has to pay something to the *sahukar* and he has to pay something to Government, then what is it that will be left for him? His other conveniences cannot be attended to. He will have nothing left to eat, he will have nothing left to provide for his medical needs in case of ill-health, in fact he will be left quite destitute. My submission is that the poor zamindar must be relieved from this intolerable taxation and you will find every other condition improving automatically. He would get increased vitality to resist diseases and thus mortality will decrease. If the Government should reduce this burden, then prosperity will follow and the poor zamindar would lead a happy life. As was said by Baba Guru Nanak :—

"How can a hungry man pray."

Sardar Jodh Singh: That is not a correct quotation.

Sayad Muhammad Husain: Well, the honourable member may correct me. That is what I got from Sir Ganga Ram's quotations. These poor zamindars are now very hungry and they cannot get on well and if they are hungry how do you expect them to offer their prayers to God. We must all try to do something to relieve the misery that prevails in the country. Government ought not to have raised taxation at all. I do not attribute that to the *malafide* action on the part of Government. The Government does not know the actual income of a zamindar in the province and so the Government is collecting from the zamindar much

more than what he can legitimately and reasonably pay. The Government under the wrong idea that there would be a deficit budget enhanced the *abiana* in order to cover the deficit and balance the budget. Had the Government known that there would be no deficit but that there would be a surplus, they would not have taken the wrong course of increasing the *abiana*.

You may ask, Sir, how to meet the expenditure if we reduce the *abiana*? How can the Government get on with the administration of the province without getting money? I say, let them decrease the expenditure on the canal department. If the canal department should adopt the volumetric system which they have extended to the rich people, then there will be a considerable reduction in expenditure. There will be a considerable decrease in the expenditure on the establishment, etc., of the canal department and the income on the capital outlay will correspondingly increase. This volumetric system has not till now been extended to all the people in the province. Only three or four people in the province, including myself and the Honourable Minister for Agriculture are adopting this volumetric system. This system is working most smoothly and most successfully. There is no patwari agency, there is no zaildar or zilladar agency and there is no fear of corruption and there is no exploitation of the poor. If the system is extended to all the people, it can be worked with admirable success. This volumetric system was invented by the canal authorities (Hear, hear) with a view to sell the water to the zamindars by cusecs so that they may utilise the water in whichever way they like. In certain cases automatic readers are put up there, and the water spent by the individual is measured once a month or once in a half year or once a year and a final bill is prepared which is sent to the consumer who is able to check the correctness or otherwise of the bill presented to him. There is automatic registry of the volume of water consumed and so there is no corruption or any such thing. But this system cannot be useful unless it is introduced throughout the province. It is now in the hands of a few people, in the hands of proprietors and if we have to judge whether it is a success or not, it must reach the masses. The revenue authorities and the canal department should encourage the people in availing themselves of the volumetric system and if this is done all the disputes that now arise in the matter of distribution of water will stop. The zamindar will be spared the difficulty of going to the Sub-Divisional Officer or the Executive Engineer or to the revenue authorities to settle his disputes. If the Government really wants to make the system a success, I do not see any reason why it should not be introduced on a large scale. I would therefore appeal to the canal department to extend this volumetric system slowly and gradually in certain branches, in certain circles. Thereby a considerable saving can be effected in the canal department by way of reduction of establishment. The Government will also indirectly raise the morality of the people. The people will not have recourse to foul and underhand corrupt methods of getting water for their crops. The zaildar will not be in a position to charge anything more than what is really due to the Government. From my own personal experience I can say it is a very useful system. We were able to cultivate more lands with the same quantity of water that was placed at our disposal. We can use the water economically and utilise it in whichever way we liked. If we extend the system to all the people, then we will not have to pay more than what is legitimately due to the Government.

[Sayad Muhammad Husain.]

In conclusion I appeal to the Honourable Member for Finance that he should redeem his promise which he had given, namely that he would consider the reduction of taxation. He had imposed this taxation most unconstitutionally in the teeth of popular opposition. Everybody will say that it was most unconstitutionally imposed. The Honourable the Finance Member is leaving this country for good and I appeal to him . . . .

The Honourable Sir John Maynard : Do not be too sure.

Sayad Muhammad Husain : Let the Honourable the Finance Member perpetuate his memory and his connection with the country by doing this tardy act of justice, namely relieving the poor zamindars of the country of the heavy rate of *abiana* which they are now called upon to pay. Then the people of the Punjab will ever remember him and posterity will declare: Here was a man, one of the oldest and one of the greatest friends of the Punjab who committed a mistake in the beginning but who was great enough and magnanimous enough to own his error of judgment and the moment he found out his mistake, he undid the wrong done to the poor people of the province. I therefore appeal to the Honourable the Finance Member that before he lays down the reins of his office, he should reduce the *abiana* and thus earn the undying gratitude of the poor, voiceless and dumb millions of zamindars of the province.

Mr. President : Grant under discussion, motion moved :—

"That the total grant be reduced by Rs. 50,00,000."

The question is that that motion be adopted.

Rai Bahadur Sir Gopal Das Bhandari (Non-official Nominated) : Sir, I am surprised to see that the honourable member's speech was half full of admiration for the officers conducting the affairs of the department and half full of condemnation. From hearing his speech, I am led to think that these noble hearted officers who use their discretion very sympathetically are unduly criticised. If I may say so the honourable member is quick to misjudge and equally quick to condemn. This subject of *abiana* has been before the Council many times. Various arguments have been advanced both for and against the *abiana*. The honourable member still harps on the same subject and I do not at all think that he has produced any new arguments which can be said to be convincing. In criticising the budget, we have to be guided by one principle, that is if we take away 50 lakhs from our revenues, we must show the way to Government to fill the vacant place.

Sayad Muhammad Husain : Only if there is a deficit budget.

Rai Bahadur Sir Gopal Das Bhandari : What if there is no deficit? I do not know under how many departments and under how many heads that sum has to be distributed. This is not a fair way of criticising the budget. One crore of surplus there is and every one wants to make reduction under this head or that head. There is no use of every body saying that reduction should be under the head which he himself likes. Some rational arguments should be advanced to convince the Government so that they may adopt the policy suggested by the members. If we want this surplus to be utilised in reducing the *abiana*, how are we going to find out the wherewithal to run the other departments which may be very important. This aspect of the question has not at all been taken into consideration. One complaint that I have against the honourable member who moved this amendment is that he

wanders far and wide from the subject under discussion. I have not the authority of the Honourable Revenue Member, but if I am allowed to say so, I will say that my honourable friend's argument is quite inconsistent and incomprehensible. This is not a general discussion on the budget. We must always confine ourselves to the subject or motion under consideration. We must only advance arguments which are relevant to the motion and appropriate to the subject. If we dissect the arguments of my honourable friend, it comes to nothing. People do not consider the fact that by paying water rate, they get good crops and get better yield of crops. I am not interested one way or the other in the subject. I myself am paying *abiana* on a few squares of land that I possess. If the water rate collected is really so burdensome why should people take advantage of water at all. Why not they say: we do not want water for our crops.

3 P.M.

Throughout my long life I have been seeing that if the burden of any tax is too heavy for our shoulders, whenever it is excessive we should say to Government that we do not want it, and then Government will come to its knees because there will be no customer at all.

With regard to the quotations made by the honourable member, I was reading to-day the opinion in the memorandum of taxation given by Sardar Jogendra Singh and I fail to understand his argument when he says that there should be a rational proportion. It is a question of fact which we have to discuss and the honourable mover has not thrown any light on the matter at all.

With these remarks I beg to say that we are tired of hearing about the abolition of *abiana* and I request the honourable members not to harp on the subject again.

Malik Firoz Khan Noon [Shahpur East (Muhammadan), Rural]: Sir, let me assure the honourable member who has just sat down that he has done very useful work in this Council and has every chance of being nominated again. He should not be disappointed about his future . . . .

Rai Bahadur Sir Gopal Das Bhandari: What about your expectation for the Ministership? (laughter).

Malik Firoz Khan Noon: He has been criticising the arguments of the honourable member from Shergarh and saying that there was nothing in them. I have listened to the argument of the honourable member who has just sat down and I am sorry to say that I have found nothing convincing in those arguments except one. He said that Government gives this water to the people, if they do not wish to buy it why do they buy it at heavy prices, why do they not sit at home? That is an argument which has a certain amount of force in it, but it has force only to this extent that it is only people who are like my friend rich and wealthy not only presidents of municipalities but drawing lots of money from various litigants who come to court and who have got their own property, dignity . . . .

Sardar Jodh Singh: Have presidents of municipalities any income as such?

Malik Firoz Khan Noon: The honourable member must not twist my words in such a way as to mean something which is not pleasant and which I never meant. I was saying that it is that kind of man who can say: we will not take this water, we have other means of livelihood. But where you have a man with ten acres of land and with a family

[Malik Firoz Khan Noon.]

of three or four children, and a wife and mother to support, who are starving at night because they have no wheat, can you think that that man will refuse to buy water even if it is sold at a heavy price? I do not think that that man will ever be able to refuse water. He is bound to take water from Government. So, that argument of my learned friend does not hold good.

But, Sir, I would request the House to give up for the moment its joy ride over the discussion of this irrigation demand which they have been having during the first speech, and to approach the subject with all seriousness. This year you have a surplus of 14 lakhs and adding to it the 76 lakhs more from the previous year it comes to 90 lakhs. Besides this, there is a sum of 15½ lakhs more which the Government was going to spend on the Wah Cement Works but which it is not spending, with the result that you have 105 lakhs of rupees by way of surplus, add to it 28 lakhs remitted by Government of India, total is 133 lakhs It is for Government to think what they are going to do with it. Do they wish that the Government of India should come to know that we are having such large surpluses and therefore the relief they are giving in the form of provincial contribution is not deserved and increase its demands on the province, or is it that they want this province to suffer by any other way? We all know that at the beginning of the Reforms this province was badly treated because we had a large surplus. I say and say it with all seriousness, do you wish that the position should again be considered? They have a surplus of 133 lakhs, what are they going to do with it? Of course, the question of court-fees is a very serious question and I have no doubt it will receive consideration at the hands of Government as was promised by the Finance Member yesterday. But, Sir, I submit that the question of water-rate is a question which ought to receive serious consideration at the hands of Government. Since the year 1921-22 up to the present budget, there has been an increase in the collections by way of water-rates in this province of not less than 143 lakhs. Mr. King would perhaps like me to refer him to the particular page of the Budget because he did not believe my figures about land revenue. On page 9 of the Budget you will see that the gross receipts from irrigation in 1921-22 were 4,84,99 thousand rupees. In the coming year they are estimated at 6,27,95 thousand, with the result that you have an increase of not less than 143 lakhs over the figures for 1921-22.

Is it not fair to ask that Government should give some relief to the people who have been so heavily taxed and who have been actually taxed extra to the extent of 37½ lakhs during the last year? I submit, Sir, that water-rates should certainly be reconsidered by Government with a view to their reduction. What is the policy of Government with regard to the imposition of water-rate? There should be some principle fixed according to which Government should charge water-rate. Either Government should say that they are going to charge 10 or 15 or 20 per cent. on the entire outlay that they have to spend on a particular canal, either that should be the principle, or else Government should say they are going to charge so much of the produce which the zamindar gets in return for the irrigation he receives from Government. Government should say that they are willing to charge 15 or 20 per cent. of the produce per acre of land irrigated. Either the criterion of water rate should be the interest on capital expenditure, or it should be a certain portion of the produce which the zamindars thereby get or else if Government are not prepared to impose either of those conditions they should charge a flat rate on all canals.

If they have a general canal policy for the whole of the province, even then there would be some system according to which they will be charging the rates. But what is the system? I submit none. It is neither the system according to interest, nor is it a flat rate, nor is it a portion of the produce. So I submit that Government should direct their attention to this problem and come out with a definite scheme and say according to which system they wish to charge water rates.

The Honourable the Revenue Member was pleased to remark yesterday or the day before that he considered that the rich man in this province was a man who owned about two or three squares. . . .

Mr. President: Order, order. I may point out that members are not in order in referring to proceedings of the present session without the permission of the Chair.

Malik Firoz Khan Noon: I will put it in a different way. The argument that I wish to advance is this, that the people who were affected by the imposition of water rates and by extra taxation were mainly poor peasants of the province, either tenants or poor peasants. Therefore if Government were to give them relief by way of a reduction in the water-rates, that relief would be very appropriately given. So far as the question of rich landlords is concerned, there are very few people who can be called rich in this province. If Government thinks that a man owning two or three squares of land is rich, then I submit I cannot accept that proposition for a moment. This is the income that he gets from two or three squares of land. If you estimate his income at Rs. 500 per square—you may be able to get Rs. 1,500 per square or Rs. 1,000 per square, but the average income per square in the province is Rs. 500—for three squares it comes to Rs. 1,500 per year That is to say, Rs. 125 per annum. Can you for a moment think that a man with an income of Rs. 125 per month is a rich man? How many clerks are there in the Secretariat who are not drawing Rs. 150 per mensem, but none of them is considered rich. That *abiana* is levied on the rich will not bear scrutiny. The majority of the people who pay *abiana* are poor peasants whose holdings are from 10 acres to 20 acres, sometimes a square each, sometimes two. In the colony which I represent the average holding would be two squares. When you take into consideration the fact that a family of three or four children, father, mother and sister have to depend on that income, you will find that the amount of land per head will not come to more than four or five acres. So I submit that if Government gives any relief by reducing the *abiana*, they will be giving the relief to the poor and not to the rich. If Government says that there are people who own 1,000 acres, let them fix a higher rate for such people. But let Government give relief to someone.

There is one further point which I wish to bring out and it is this that if you go round the colonies, you will see that there are hundreds and hundreds of acres which have not even received one watering for their wheat. The closures upon these canals are so terrible these days that Government are unable to give all the four waterings to wheat. But what does Government do? It does not say that this land has not received irrigation, therefore it will not take any *abiana*. It does not say that because the land has received only one watering, therefore it will charge only one-fourth the *abiana*. There should be some protection given to the zamindar in the matter of taking *abiana*.

[Malik Firoz Khan Noon.]

I wish to say only one word with regard to volumetric system. As far as I can see, this system will never be introduced by Government and that for this reason. At present on certain canals Government allows 45 per cent. irrigation. That is to say, a man has 100 acres of land, but Government says that it will give him water for 40. The man irrigates as many acres as he can with that much water, with the result that Government derives *abiana* on 100 acres, while it has given water only for 40 acres.

Sayad Muhammad Husain : Government will only charge for the quantity of water which they have given at the head which may be near 40 per cent.

Malik Firoz Khan Noon : The honourable member seems to have been dozing (Hear, hear), because I was not referring to the volume of water supplied. I was referring to the ordinary canal system in which Government allows water for irrigating 40 per cent. of his land. If a man gets water for irrigating 40 per cent., he is not content with 40 per cent., but he will try to irrigate the whole of his land. Consequently the Government does not charge water rate only on 40 per cent. of the area, but on the whole area. If the Government starts selling water by volume, they will perhaps only charge for water according to measurement, but this is not possible at present for want for a machine. If the volumetric system is adopted, Government will not realise the same amount that it realises at present. I am one of those who advocate the volumetric system, but the canal department will not agree to the introduction of this system. I appeal to the Honourable Member for Revenue who said that he will administer the Revenue Department as though it were a transferred department to come forward and say boldly to the canal authorities "You are charging more than what you really deserve. Give this volumetric system to the people who are clamouring for it."

This is all, Sir, that I have to say and I hope that out of this surplus, Government will be able to give us some relief to the extent of 37½ lakhs of rupees.

Sardar Randhir Singh [Sialkot-*cum*-Gurdaspur (Sikh), Rural] (Urdu) : Sir, only a few minutes back my honourable friend Sir Gopal Das Bhandari remarked, if the water rate was very high why did not people refuse to accept the canal water? Sir, this sort of relations exist between a *bania* and his customer, but such relations should not exist between a king and his people. Sir, the strength of a Government lies in the prosperity of the subjects. The Government, therefore, should adopt means to secure the prosperity of the people. If we are not flourishing, the Government will lose its revenues as well as water rate. This argument, therefore, does not apply to this case. This might fit in the case of a *bania* in Amritsar and his customers.

Now, Sir, the increase in the water rate was due to the deficit budget. But now that we have a prosperity budget I do not see any reason why the water rate should not be reduced to its former level. Now we have a surplus of 90 lakhs. The people believe that Government considers a tax once levied as a good tax, and that is why it does not abolish this enhancement. Now, Sir, my friend Pandit Nanak Chand will say that only yesterday we were against any reduction in the stamp duty, with what show of reason then, I ask for a reduction in the *abiana*? Sir, my reply is that stamp duty was enhanced with the consent of the Council, after this Council had been taken into confidence, while no such consultation has been made by the Government in the enhancement of *abiana*. Stamp duty was raised with your consent. . . .

Maulvi Mazhar Ali Azhar : Yes with *your* consent.

Sardar Randhir Singh : Now, Sir, the Honourable Revenue Member may very well say in reply to this argument of mine that the Act empowers the Government to enhance the water rate and therefore, the water rate has not been enhanced unconstitutionally. But, Sir, when you consult the Council before enhancing other taxes and when you propose bills, make discussions before imposing other taxes, why do you not, then, follow the same procedure in this case as well? Why do you not so amend the Northern India Canals and Drainage Act of 1873 as amended by Act 4 of 1914 that the poor zamindars may also get the same treatment as is accorded to others? I proposed a resolution to that effect, but unfortunately it could not come in the ballot. This resolution was sent in order to finally settle the question that any enhancement in the *abiana* should be made after consultation with the Council, and that such a provision should be made in the Act. . . .

Mr. President : The honourable member is not in order in anticipating debate upon a resolution of which he had given notice. But as that notice shall lapse if the present session is not continued after the 18th, I permit him to refer to that resolution.

Sardar Randhir Singh : Sir, I only wanted to draw the attention of the Government to this effect. Sir, on the one hand we find that they impose taxes and enhance water rates, while on the other we notice that the number of closures has increased considerably. During the last year there have been so many closures. There are hundreds and thousands of acres of land in Sheikhupura and Lyallpur which have not had water once even. Sir, it might be said that *kharaba* is allowed in such cases. True, *kharaba* is allowed, but do you compensate the people for all the labour and expense they incur in the cultivation of their lands? If all this labour and expense had to go unpaid for it would have been better if the Government had told the people beforehand that water could be supplied only for a part of the land and they should therefore cultivate only as much part as could be watered. This would have saved the poor zamindars so much labour and money.

Again, Sir, 40,000 acres of land have been sold or are about to be sold this year in the districts of Sheikhupura and Lyallpur. May I know what arrangement has been made to irrigate these lands? I shall probably be told that they will be irrigated by canals. I do not deny that. But will that water be supplied by cutting down the supplies of the people already enjoying canal irrigation or will some new arrangement be made? Through you, Sir, I want this assurance that these 40 thousand acres of land will not be irrigated at the cost of the old lands and extra water will be supplied. If this is not to be done, then, Sir, I submit that it is highly unjust. The water supply is already very short. Closures are many and if the supply is to be further curtailed, God help those whose liabilities you daily increase by resettlements.

Again, Sir, I believe that the Chief Engineer will agree with me that the water supply in the rivers is daily decreasing. If this is so, is it good to take out more water from the rivers? When there was not sufficient water in the Chenab for the Lower Chenab Canal, why has it made it to supply water for the Upper Chenab Canal? I, therefore, Sir, submit that before excavating new canals we should see if there is enough supply for the old ones. I am not in favour of this cut. For its approval will stop all work of the department. But I think the points I have raised must have consideration at the hands of the Government.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member): Sir, I have risen just now to remind the Council of a few points which seem to me are ignored in the heat of the debate this afternoon. We must realise, Sir, when we are urging again and again that water rate was increased in spite of us whether we are making a point in support of our claim to have it reduced. Are we alleging it in the hope that when the next advance, I mean the constitutional advance is made, we will secure the position to be able to lay down what the *abiana* should be? It is a note of warning that I as a zamindar am sounding for the benefit of the zamindars of this Council that it does not behove us when discussing matters of great import to take a sectional view of the proposition.

We, the zamindars who have got the good fortune to possess lands on canals should remember that there are our brethren who are not so lucky as we are. They possess lands which have not the benefit of canal irrigation and they are prepared to exchange with us their vast arid unirrigated areas not on an acre per acre basis, but 10 acres for one acre of irrigated land. When we talk of the Punjab people suffering under heavy water rates, we must realise that all the Punjab people have not got the good fortune to possess lands which are irrigated by canals. We must also remember that we, the lucky Punjabis who possess canal-irrigated land constitute but a very small fraction of the Punjab peasantry or the Punjab landholders. No one can question this simple statement of fact.

The second point is, are we quite sure that even all the non-official members of this legislature are agreed on the reduction of *abiana*. I am not so sure of it. Have I not been told by several honourable members of this Council:

Nirkh bala kun ke arzani hanuz (raise your price for you are still cheap). As a matter of fact, I am told by people who possess unirrigated lands that the water rates which are considered high are not as high as they ought to be in proportion to the benefit derived. Well, Sir, I do not say that I am going to take any hasty action in the matter either in the way of enhancing *abiana* or in the way of reducing it. What I say is that it should not be taken for granted that the Punjab is interested in reducing *abiana*, nor do I consider that the whole of the Punjab is interested in raising *abiana*. These are sectional interests which Government has to take into consideration and deal with in a fair and just manner.

It has been said that our sole concern is to make money out of the poor, wretched landowners who have the misfortune to possess canal-irrigated lands, and that the canal department and for the matter of that the Government pay no attention to the prosperity of the people. That, I am afraid, Sir, is not a fair picture of the activities of the Revenue Department. As a matter of fact, one honourable member took it upon himself to urge that the canal department will oppose the introduction of the volumetric system because they cannot under that system have the pleasure of overcharging the poor zamindar. I can hardly understand that. If the volumetric system is introduced, is there anything to prevent the Government charging a specified rate for the volume of water it gives, and raise the rate when necessary? If money is needed and if this Council feels that it is the people possessing canal-irrigated lands who can bear the burden more easily than the land owners who have not got canal-irrigated lands, this can be done whether the distribution of water is made as at present or on the volumetric system.

Then, Sir, may I inform the honourable member who represents the canal-irrigated area of the Shahpur district, that while he considers two squares of land as the insignia of poverty and hunger, if only I could provide half as much land to every agriculturist in the province, the Punjab would be twenty times richer than it is to-day? When we talk of poverty, we must realise that its meaning varies with the standard by which we are judging a case. To owners of hundreds of acres, an owner of 25 acres appears very poor, but to owners of 4 or 5 acres, he is rich. We, as Government, have to treat the province as a whole and as a sacred trust committed to our care, and we must look to the welfare of the larger section of the province, and not only to one small section of it. Let it be remembered that the policy pursued by Government during the last five years has been one of helping the backward classes. So far as landholders are concerned, let it be remembered that the backward classes are the classes who are not fortunate enough to possess canal-irrigated lands and therefore all my sympathies are with them.

The third point that I wish to submit is this. It is always wise in the affairs of political struggle to so conduct oneself as to secure power and then to use it with great discretion so that you may retain it for as long a time as possible. Let the rural members of this Council remember that as a matter of fact they do not constitute a majority in this Council. For them to harp again and again on this—that *abiana* has been imposed upon them inspite of there being no necessity for it is not correct. Even if it were correct, it would be wiser on their part not to say it. Considering that *abiana* was imposed, has been imposed and is being realised they should make a virtue of it and say: "we did not like it, but we realised our responsibility to the province and so we submitted to the *abiana* willingly in the hour of need of this province and now that the hour of need is passed we claim that the *abiana* that was imposed upon us which we had willingly submitted to because we realised our responsibility, should be reduced and it is our right to get a remission". If they had said that, there would be nobody to take objection to a position like that. As a matter of fact, I know full well, that this has been the view of the largest section of the zamindar members of this Council. In fact, it is to the credit of the Council, that it showed a commendable sense of responsibility in the matter of meeting the needs of the province in its hour of trial, and has certainly exercised its power wisely and discreetly. When I said, Sir, that I would like to administer these departments as if they were transferred departments, I meant that I will show due regard for the views of the honourable members and I am bound to do so, but I trust they will show that sense of responsibility which invites trust and confidence. This sort of undertaking cannot be carried out, if it is to be carried out by one side only. I can succeed only if I have the whole-hearted and businesslike co-operation of the honourable members. I am prepared to go forward a step, but I trust that they would also come forward a step. They should take a sane and statesmanlike view of their responsibility. They should prefer to wait a little for their good rather than clutch at it to-day or in the immediate and near future. As I already said, only those who act discreetly can retain the power that they obtain, and those who begin to play ducks and drakes with their power soon lose it. Therefore let them not be so proud of what little majority they imagine they have got because majorities are made as well as lost.

Now, Sir, to turn from these political speeches to more prosaic speeches of internal administration of the irrigation department, the honourable mover of the amendment has desired to cut 50 lakhs from the Irrigation budget.

Sayad Muhammad Husain: No, I want to cut 37½ lakhs.

The Honourable Mian Sir Fazl-i-Husain: I stand corrected. I do not know how he came to know that the cut that he proposes exactly covers the expenditure of that branch of canal which irrigates his constituency. It is his idea is that the grant be reduced by 37½ lakhs and if the canal department has prepared its budget in a businesslike way, then it will have to close a certain part of its activities in order to save this money, and probably, very naturally, just like ordinary human beings, the canal department will have to direct its attention to those parts which the honourable member has the honour to represent, because it would not be fair for his misdeeds to deprive other people of the benefits of the canals which they wish to continue to run. That however is by the way. I am, however, looking to another honourable member who represents that part of the country to say whether he would like these 37½ lakhs to be cut.

Mr. President: The original motion is for the reduction of 50 lakhs and it is not open to the honourable mover of the motion to reduce that amount at this stage to 37½ lakhs. Therefore the motion as originally moved is before the House.

The Honourable Mian Sir Fazl-i-Husain: I stand corrected. Fifty lakhs is just enough to do away with Montgomery district irrigation system.

The next point that I wish to make is this: I again wish to remind the House that when trying to score points against the Government, it always pays—this is what I am saying on the basis of my own experience as a non-official member of the pre-reformed Council—to acknowledge first what has been done by the Government, because when you have done that you can bring the whole force of your criticism to bear on the points that you are going to make against the Government. Every body will say: he is a fair-minded man; he has admitted what the Government has done and now what he says against Government is likely to be true. Sometimes it is and sometimes it is not, but people who hear your discussion will start with a bias in your favour simply because of the fact that you give credit where credit is due even to your adversary. Now the honourable member will remember that last year the Government reduced the *abiana* to the extent of nearly 17 lakhs and they rightly acted on the principle of reducing it on the crop which was essentially the poor man's crop and the dumb animals crop, I mean fodder. Seventeen lakhs were reduced in the interests of zamindars. Three lakhs of taxation were reduced in the shape of reduced rates of mutation fees. That again is a thing which one might have reasonably expected to be acknowledged.

The remaining additional taxation consists of court fees, stamps, motors and a portion of abiana. It has been very pointedly asked, Sir, what is Government going to do with the 50 lakhs, some make it a crore and some even more, of surplus. Sir, I am very much disappointed. My ideal of an independent Punjab legislature is not one attempting to grab at a paltry sum of fifty lakhs or so of taxation in order to have it distributed among lakhs of people who will benefit to the extent of a few rupees or few annas each. My ideal of an independent legislature of the Punjab worthy of the province is thinking hard and steadily how to spend that 50 lakhs to the best advantage of the province and to help the poorest portion of the

province. I expected the members to say: "You have only 50 lakhs or a crore of surplus, our needs are much greater. We want you to push agricultural advancement, we want you to push educational advancement, we want you further to strengthen the excise staff of the province so as to detect illicit distillation and to improve the morals of the people, we want you to bring medical relief to the door of the poor, we want you to take steps to save the lives of lakhs of poor infants who die because they are not properly looked after." I expected the legislature to spend its time more in discussing these demands than in asking for a small amount to be distributed among the land-owners of the canal irrigated area.

Shaikh Muhammad Sadiq [Amritsar (Muhammadan), Rural]: Sir, I have listened to the masterly speech of the Honourable Mian Sir Fazl-i-Husain. Sir, I had heard of crocodile tears, but to-day I saw them being shed in reality. What is the use of shedding crocodile tears when my honourable friend.....

Sayad Muhammad Husain: What are crocodile tears?

Shaikh Muhammad Sadiq: I would refer my friend to a dictionary, if he cares to see what the expression means. (*A voice: his tears*). By crocodile tears, I mean tears which are not genuine. My learned friends want to reduce taxation, but they dare not reduce the expenses. I ask, Sir, how is it possible to reduce taxation without at the same time reducing the expenditure? When the time comes for reducing expenditure, my learned friend says he does not want a cut. Unless we tell Government that we are going to cut from this place and that place, how are we going to reduce the taxation? Are we going to land this Government into debt? If you are going to allow Government to push all its schemes forward, if you allow the heavy salaries which Government officers are getting and do not reduce them in any way, how are you going to reduce expenditure? I would request my honourable friend to join that portion of the House which is always crying that there is too much expenditure, and he will find that in two days Government will reduce the taxation. Now, taxation on water is not an easy matter. On the one hand we find that water is an asset of the nation. It does not belong to the few fortunate people of the Punjab. It is water which God brings from miles away across the hills and plains and pours over the hills of the Punjab to be utilised by the people of the Punjab. But, Sir, there is a limit to everything. On the one hand, in time of emergency Government has a right to enhance water rates, on the other we find that the ordinary businesslike method should check us from doing a thing which Government always checks. My learned friend from Amritsar says that this is a question of buying and selling. How would he like if he goes out of this House and asks a tongaman to take him to the railway station and that man charges him Rs. 10 on reaching the station? He will haul him over to the police, take down his number, make a report against him to the municipality and have his license cancelled. So is the case with Government. How would he like if the Electric Supply Company said that they would charge him Rs. 3 per unit instead of eight annas per unit? At the time of the auction Government should announce in the plainest possible terms that their policy is not settled and that any time it may increase the abiana. One morning when the Finance Member wakes up he finds the province in a deficit and he raises the abiana. Is it right for Government that they should

[Sheikh Muhammad Sadiq.]
go on raising the water rates? My learned friend said that there can be no law for fools, but I think it is only fair for Government to tell the public beforehand that its scheme is not settled and at any time it will increase the abiana.....

Mr. President: Order, order. The matter of principles which the mover of the motion meant to bring under discussion was the reduction in abiana and not the prevention of the future enhancement of abiana. The honourable member will please speak to the question.

Shaikh Muhammad Sadiq: Sir, now we have to see what will be the effect of reducing 50 lakhs. I wish my learned friend had suggested some means as to how it was possible to reduce it. Either we must reduce, which means that the whole scheme comes down.....

Sayad Muhammad Husain: It is a reserved item.

Shaikh Muhammad Sadiq: Reserved or not reserved, we are going to vote on the motion. Most of the members of this House would have willingly helped, but the pity is that the honourable member probably intends to withdraw his motion at the last moment and his intention in moving it simply is to embarrass Government. If he had intended that a reduction should be made, he could have moved for a reduction of five or six lakhs.

Sardar Tara Singh: I am going to move for Re. 1 cut.

Shaikh Muhammad Sadiq: There can be nothing more reasonable than a Re. 1 cut. I would appeal to the generosity of the Honourable the Revenue Member to accept that Re. 1 cut. It is impossible at this moment to cut the whole demand for 50 lakhs. What we want is that the benefits should be properly distributed. The Honourable Mian Sir Fazl-i-Husain said in his speech that unless you keep the taxation, you cannot increase benefits. You cannot go on spending money without getting it from the coffers of the public. There is a Punjabi proverb which says: —

"Jat ki juti jat ke sir" (Laughter).

Sardar Randhir Singh: The honourable member should withdraw those words.

Shaikh Muhammad Sadiq: I did not mean for a moment to insult my Jat brothers. There is no difference between one Indian and another. I used a proverb which is prevalent among the Jats themselves. I did not mean to give offence to my friends. I was saying that in order to spend money you must get it from somewhere. Sir, on the one hand, you want that education should be given free, that there should be charitable institutions, that there should be medical relief, on the other you ask that taxation should be reduced. If you have the interests of the poor at heart, you should come forward with reasonable recommendations so that we should help you. But the fact is that you have not the interests of the poor at heart. You come and move for a reduction of 50 lakhs and you make lengthy speeches, only at the end to withdraw your motion. Is this the way we should move amendments? There is only one way with Government. Either fight or submit. But you only have lip sympathy for the peasants. You have not got real sympathy with the poor.

Millions of acres of land will be given to the poor zamindar. Why not sell the land? The best possible way is to sell it and then try to reduce abiana. There will be no more deficit. Sell your land on economic basis, then there cannot be any deficit in the country. If you want to reduce expenditure, come and join us. You will see that many fine bungalows are being built costing about Rs. 50,000. An officer is given the title of Assistant Administrator General and is given a big house to live. Why cannot these officers live as I am living in an ordinary Indian house? You can cut down the expenditure in that line. You cannot do anything single handed. Come and join us and we will help you in knocking down Government. Of course you will have to apologise, but you will have reduced the expenditure.

4 P.M.

Sardar Tara Singh: Sir, I have got an amendment* to move.

Mr. President: As the motion now before the House and the motion of which the honourable member has given notice are identical in purpose, he is welcome to speak on the motion now under discussion.

Maulvi Mazhar Ali Azhar: May I point out, Sir, that both the amendments are substantially different and members may not be able to vote on both in the same way?

Mr. President: My ruling relates only to Sardar Tara Singh's right to speak on the motion now under discussion.

Mr. C. M. King (Financial Commissioner): Sir, my friend the member for Montgomery strayed into many paths in his desire to obtain a reduction of these 50 lakhs. I understand that his main object was the reduction of abiana and the ground on which he has based his plea for the reduction of abiana has been generally the poverty of the people who pay abiana. I take that point first and I will proceed with it briefly.

I entirely deny that the person who pays abiana in that part of the province from which my friend Sayad Muhammad Husain comes and in the parts adjacent to it, I deny that the person who inhabits those parts can be described as poverty stricken. Judged by any standard I hold that he can bear his own with the peasantry in any part of the world. Judged by the standard of peasantry, I say that he is extraordinarily well off and I have no hesitation in saying that. My friend, however, keeps on urging the poverty of the zamindar and his inability to pay abiana; and yet neither he nor any other member of this House has attempted to answer the question which I put just a year ago. If it is a fact that these people are crushed down by the burden of abiana, if it is true that on them has been laid an unbearable burden, explain why it is that on every occasion they endeavour to buy more and more canal irrigated land and to pay more and more abiana. These people are not fools, they are as wise as any member of this House and yet they think that it is worth their while to keep on buying more and more land. Why do they do that? I asked this question before and no one has given an answer. The only answer I can see is that in these particular parts the ownership of land is really profitable and people are willing to buy land and to make a profit, in some cases reasonable and in other cases considerable profit.

Sayad Muhammad Husain: Sir Gopal Das gave an answer to that.

* "That the total grant be reduced by Re. 1".

Mr. C. M. King: Not only are they willing to buy these lands but they are willing to pay what may be described as almost extravagant prices for them. Only last December a considerable area of land was sold in the Sheikhupura district at an average price of Rs. 412 per acre. Taking 5 per cent. as the reasonable interest, it comes to Rs. 20 per acre and the people are willing to pay that amount of Rs. 20 per acre in addition to the actual existing abiana. Explain that fact if you can? I have not yet come across any one who has been able to explain it.

In this matter too, Sir, we have got to compare our province with other provinces. My friend Sayad Muhammad Husain has to a certain extent done that. He has taken the percentage which the Bombay canal department derives from its irrigation works. He said it is only 2 per cent. I notice that he carefully kept off the amount of abiana charged on these irrigation works which amount in some cases to as much as Rs 60 an acre. It ranges from Rs. 40 to Rs. 60 an acre. He has told us nothing about that. There is another point. Only the other day a high official of another province came to this province in order to study our methods of assessing abiana and he came and asked me about it. He astounded me by saying that the rates that they propose to charge in that province, I won't mention the name of that province, he said that in the case of dry irrigation, by which he meant crops other than rice and sugarcane, that it was proposed to charge Rs. 11 per acre as against Rs. 3-4-0 per acre charged here. When I protested and said that that was to my mind far too much, he at once said people would willingly pay that because it is so much less than what it costs them to irrigate the same area by wells. That is to say, the standard in that province was not the standard of the amount of interest he would have had to pay, but the standard of the next competing source of irrigation which is the well. I pointed out once before in this Council that if you take the well standard in this province, if you take what the cultivator has to pay by way of expense for irrigating his land by means of wells and compare it with the expense he has to incur for canal irrigation, there is no comparison, because the well irrigation costs many times more than canal irrigation. I have got figures and I quoted them before in this House. Roughly well irrigation costs on an average Rs. 34 per acre whereas the canal irrigation costs Rs. 5, that is well irrigation costs seven times as much as canal irrigation.

Sayad Muhammad Husain said that he devoted one night to read the report of the Taxation Committee and he came down here and told us what the Taxation Committee had proposed in certain cases. But that is with regard to land revenue. He did not tell us what the Taxation Committee had recommended with respect to abiana.

Sayad Muhammad Husain: I just quoted an extract from that report on the subject.

Mr. C. M. King: If he had examined closely what was said in that report about abiana I don't think he would have ventured to mention the Taxation Committee report at all. The proposals about abiana made by that Committee go beyond anything that has been so far done by the Punjab Government in the matter of enhancement.

Sir, this question is being brought over and over again and it is difficult to deal with it except by repeating and reiterating the old answer. There is not one word that has been brought forward by the member for

Montgomery today, there is not a single argument urged which has not already been many times before dealt with. The only reason now why he pleads for the reduction is because there is a surplus. That point will, however, be dealt with by some other member of this Council For my part I have got only to consider the economic effects of the water supplied to the soil and what portion of the resulting produce Government should take. I lay down the principle without hesitation that the canal being Government's, the water being Government's and the land only being the land owner's, Government is entitled to take the whole cost of maintenance of canal, the whole interest charges on the canal and as much as it can for the water leaving a sufficient margin to the landowner to carry out his cultivation of the soil. If you give him more than that, he will either have a surplus in his pocket to which he is really not entitled or else he will sublet the land, as happens very frequently to tenants and he will derive from the tenants a profit which will enable him to live at ease while some one else does the work of cultivating the land. That is the state of affairs which we do not want in this province. We want that the lands should be cultivated by peasant proprietors and so we must be prepared to take a full share from them of water rates.

Sardar Tara Singh [Ferozepore (Sikh), Rural] : Sir, I quite realise the statement by the Honourable the Finance Member that the whole question of taxation will be thoroughly gone into by Government before June next and at that time an announcement will be made. At the same time he made a remark that this cry for reduction of abiana was on behalf of a few persons. The motion under discussion is for the total abolition of a certain sum which is not provided for by abiana. The enhanced amount is 37½ lakhs and not 50 lakhs as mentioned by the mover. My object was to move a reduction of Re. 1 with a view to draw the attention of the Government and to insist upon them the depth of feeling which exists among those people who have to pay abiana. The Honourable Member for Revenue was pleased to say just now that he had great sympathy and a real genuine sympathy for the backward classes or rather the backward people. May I, Sir, I am sorry he is absent just now, ask him through you how many of those who are paying abiana are backward ? If we take the number of these persons we will find that the persons who pay abiana and who possess small holdings is very large. There may be only a few persons, few magnates, if I may use the word used by Sir Gopal Das Bhandari, there may be only a few magnates in the western Punjab. If you take into consideration the case of eastern Punjab, I dare say the Honourable Member for Revenue will find that the holdings of 95 per cent. of persons are very small and that they are not really making a living out of these uneconomic holdings. The eastern Punjab is being inhabited from a very long time and on account of the fact that it is the oldest inhabited part, and so the holdings have been apportioned to several members and the average produce of the land is decreasing year by year. The rates that have now been levied in western Punjab were prevalent in eastern Punjab for a few years. Now, Sir, it is time for Government to consider whether those poor people who have been paying these high rates for the last few years which have been levied in the eastern Punjab, whose holdings are very small, whose production on land is decreasing day by day owing to the fact that the land has been under cultivation for a very long time thereby losing its productive power, it is time for the Government to consider whether such people do not deserve some concession. Certainly like the

[Sardar Tara Singh.]

Honourable Member for Revenue I have got little sympathy for those landed magnates. I have got the greatest sympathy for these large number of people—about 95 per cent. whose holdings are very small and who deserve all the sympathy and all the concession on the part of Government. The Government need not reduce abiana on certain landholders whose lands extend to one or two thousands of acres, as suggested by my honourable friend Malik Firoz Khan Noon. But the Government should certainly give reduction in the case of persons whose holdings are small. Supposing I have got five acres of land ; out of those five acres, supposing about three acres are irrigated by canals. On that I have to grow fodder for the animals, I have to produce wheat to maintain my family and at the same time I have to pay land revenue and abiana. I quite realise that those persons who have got barani lands deserve more help than those who have got irrigation sources. I am quite prepared to agree with the Government on this point that the Government should reduce the assessment on barani lands and at the same time they should give better and more favourable consideration to those landholders whose lands are irrigated by canals and whose holdings are very small. I will, therefore, appeal to the Honourable the Revenue Member to reduce the abiana up to a certain extent. The Government might give this concession on a graded scale, for instance a person who has land below 20 acres might be charged at one rate, another person who has above 20 but below 30 acres may be levied another rate and so on until you reach 500 acres of land. Those who have got very small holdings should be given special concession. Otherwise there is likely to be very great difficulty. At present their whole produce has to be spent in paying land revenue, the abiana and also their creditors. After a harvest the zamindar is no better. He has again to knock at the door of the money-lender to maintain his family until the next harvest. If the Government has got real sympathy with the lot of the backward and the poor zamindars of this province, then they should come to the help of these small landholders. Let not the big landholders be shown any concession. Let not the Government think that this is a cry of the few. If the Government should take into consideration the speeches of certain honourable members they might think that it is a cry of the few. But this is really not so. There are silent, dumb creatures forming more than 95 per cent. of the population of the Punjab who are not very vociferous and who cannot approach the Council with their grievances and the Government has to safeguard their interests. I appeal to the Government, through you, Sir, that they should take into consideration the pitiable condition of these poor zamindars and come to their rescue immediately by reducing the abiana.

As was rightly remarked by Sardar Randhir Singh if the question is left to the decision of the Council, then it is a different matter. This question if it has to be decided in the Council must command a majority of votes, the decision might be one way or the other. Unfortunately the Council has no say in the matter. It is the Government that enhances the abiana by executive order and our grievances are not heard. In order to remove this anomaly of the Council not having any voice in the fixing of the abiana, the Government should incorporate a provision in the Land Revenue Bill making the Legislative Council the final arbiter in this matter. It is after a very long agitation that the Government has after all consented to bring in this Land Revenue Bill before the Council. Does the Government want to see another agitation in the country before it can incorporate this amendment, namely, empowering the Council to fix the abiana, in the Land Revenue Bill ? If the Government

should wait for another agitation, then all I can say is, it is not wise. I therefore appeal to the Government to make certain laws or to introduce certain provisions which will automatically determine the question of the settlement of abiana. With these few words, I support the amendment.

Mr. Miles Irving (Finance Secretary): This amendment involves, I think, as I mentioned before really two separate questions, the one whether there should be an abandonment of revenue at all and the other whether that abandonment should take this particular form. It is the second of those which is more particularly before this House on the present occasion. But it involves a consideration of the first and it is with the first that I am more peculiarly concerned. After all, although the Finance Department is interested in that taxation should run on proper lines, it is even more interested in having enough money from whatever source as one great financial Emperor of Rome observed. When you go to the question of reduction of revenues, you will at once take up the question to what extent you desire to spend and to what extent you wish the money to fructify in the pockets of the people to use a venerable liberal phrase of my childhood, and to what extent you adopt that new financial policy which is after all the reversal of the favourite theory of the last generation as I have seen in England, and as is based on the principle that up to a certain extent or point you can spend people's money for them better than they can spend it themselves. It is the abolition of the old doctrine, the departure from *laissez faire* that appears to be the most striking feature of financial development in England in the last thirty years. Honourable members who wish taxation to be reduced themselves admit this to a certain point. There is nothing in the nature of things for example which prevents the abolition of the Agricultural Department at a stroke. People would go on, being born, being married and dying as before and the end of the world would not come and we could save 30 lakhs thereby. But is there any one who wishes to do so especially after what I said to the House on another occasion that for every lakh we spend on agriculture we earn ten lakhs in increasing the wealth of the province? We could cut down education not only by stopping the opening of further schools but by closing those that have been started. But does any one wish to do so? We can stop making roads. We can stop making all the progress which the province is making now. I think, however, this House really in its heart of hearts dislikes the cutting down of expenditure in the directions I have indicated just now. I think the people as a whole, rich as well as the poor, particularly the poor, if they get more by the money which the Government spends on improving their cities, on improving the roads, on improving their access to market, they would like it much better than they would do if a few annas had been put back in their pockets individually by reduction of taxation. Now, we have before us in the next three or four years as far as the financial eye can reach in the mists of the future, a wonderfully fair prospect for the province. My honourable friend the Director of Public Instruction has told me that in the next three years, if our revenues are let alone, there is a prospect of getting 7½ per cent. of the children of the school-going age at school. That means practically a prospect of getting to a stage in which the compulsory education could be enforced. In the Agricultural Department only the surface of the soil has been tilled. I have already mentioned the most remarkable increase that has added to the wealth of the province and this has occurred chiefly in the canal colonies colonised by people who pay abiana. It is there that the new varieties of cotton seeds have

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been popularised which have so wonderfully added to the wealth of the province. Now, Sir, let us give others a chance. In every district of the province, from Attock to Gurgaon, we have got to make an equivalent increase of wealth that is to be derived simply from the introduction of new kinds of crops. You must have money to do that and what is more, it is just here where you have got this power of voluntary expenditure of money. Here it is that a cut in the revenues will hit us. What will practically happen, I can tell you, is that just so far as you cut your revenues, so far will agriculture, and roads be the departments which will suffer.

I would perhaps weary the House, if I enumerated the sources of wealth of this country and how they are not properly put to use. There is cattle-breeding. No one realises the enormous waste involved when you give to a beast worth Rs. 50 precisely the same rations, and the same food that you will give to a beast worth Rs. 200. You are wasting the fodder of the country by the kind of cattle you are breeding. Only a very large expenditure on the part of the Agriculture Department will remove that waste. I would seriously advise the House not to commit itself any way until it sees where the money is going to be spent. I believe this House will have before it very soon a programme of the methods in which agriculture, education and industries department propose to spend the money that they realise. For the next three or four years if you let us alone, we have really a very good chance of making an improvement in the condition of the province. Roads, agriculture, education and industries which have begun to progress during the last several years will make a vast development. As to the particular method of raising the revenue, I would like to draw the attention of the House to the extraordinary position of the province in that nine crores out of eleven derived as income of the province is collected in one form or another from the property of the State. That is a wonderful thing really because in most countries these natural monopolies have been allowed to be devoted to the use of individuals. The limit up to which a state may properly charge for a monopoly may be debated. One member gave the very pertinent example of electricity and electric light. To what pitch would an electric company be justified in raising its rates for electric light? I would say as a consumer that I am perfectly content if it is allowed to raise it to 1/5 of what my oil lamp costs me and so long as the abiana is not more than one-fifth of well irrigation, I think the limits of taxation are very well kept within the proper range (Cheers).

Mr. V. F. Gray (Punjab Chamber of Commerce and Trades Association, Commerce): Sir, the reason for this amendment is obviously the surplus budget, which is generally more embarrassing to the Honourable Member in charge than a deficit budget. As regards abiana, which is the matter under discussion before us, I must acknowledge that I knew very little about it when I first came to the Council but I am beginning to feel myself an expert after having listened so often to some of the members and after hearing the *pros and cons* of it. There is not much left for me to say.

There is one point that has struck me to have been entirely missed in this debate, though it has been mentioned on previous occasions and that is that abiana rates raised about eighteen months ago, as far as I can understand, merely brought the rates into line with other canals. What I mean is this. For example, before the last enhancement the rate in A district was Rs. 5 per acre, in B district it was Rs. 4 and in C it was Rs. 3. They were brought more or less to the same level, say Rs. 5 per acre. But supposing

a reduction is to be made in abiana nobody has given Government the slightest idea how this is to be done. The general feeling seems to be to go back to where we were, but is that quite fair? Is it fair that one district should pay so much less than another district? If you are going to reduce the abiana rates, do you not think that the House might give the Honourable Member in charge some idea as to how you want him to do it, as to what reduction you want?

It seems to me that this point has been quite ignored and it is a very important point if there is any reduction going to be accepted by Government.

Another point raised by the honourable mover was this. He quoted certain things about taxation. It has been pointed out that abiana is not a tax. He maintains that it is. In my opinion he is wrong in considering it a tax, because if we were able to give water to every agriculturist, then you have got an absolutely sound argument that you should not charge more than what it reasonably costs. But you are charging abiana in excess of what it has cost because you want revenue from it and you think you ought to get this in abiana from people who are receiving water, rather than from people who can hardly exist because they have no water. We hear of the "poor zamindar" all the time. I have been under the impression that the poor zamindar was the one who did not have water. Now I find he is equally poor even if he has it.

Now, Sir, let me refer to the nice lecture we have had from the Revenue Member, a very able lecture I must acknowledge, informing us that instead of asking for more reduction it would be more statesmanlike to have gone on our knees and thanked Government for the remission they have already given. That argument, Sir, might easily be reversed. When there was a deficit budget, Government came to us and asked us for further taxation; and although some of us did not like the particular taxation asked, this House did agree, but now that Government has got a surplus, I think we have a perfect right to ask that this extra taxation agreed to by this House should be rescinded. That seems to be only perfectly fair. We have allowed the taxation, because Government had a deficit budget. Now you have got a surplus, repeal the extra taxation. The revenue of the country is in a very sound condition. You have still got a surplus you will still go on, getting a surplus. I think the House is justified in asking for a reduction in taxation provided that it is not more than the recent increase.

Another argument advanced was about small holdings, that small holdings should be charged less abiana than the large holdings. I see a very dangerous result of this. It will probably result in people having half a dozen holdings, the very thing the Punjab is very much against.

We must clearly understand what Mr. Miles Irving has told us, that civilisation means taxation. If this country is going ahead, it has got to be taxed. Higher standards of living mean more taxes. But this one particular item of abiana does not seem to me overtaxed because the amount which has been raised—I need not tell you the figures, you know them better than I do—during the last 30 years is small, whereas the cost of grain produced by this water has increased a very great deal, a far higher percentage of increase than the cost of what we might call motive, the force to produce

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this grain, has been raised. It does not seem therefore that abiana is overcharged, and to go back exactly, where you were eighteen months ago, does not seem to me to be right either. I think you should keep the present relative rates at least.

There is one final point I would like Goverment to clarify. I was rather disappointed to hear opposite me a remark that abiana rates were charged with the intention of giving you four waterings, but that people are being charged the full rates for four waterings and only getting one watering. That is undoubtedly unfair.

Then I did not quite follow the argument about the man having water for 40 acres. It struck me that he was putting the same amount of water on 70 acres as he was allowed for 40. If that is so, there is no great harm done, but if he is getting water for 70 which somebody else ought to be having, there is something wrong in the administration. Possibly the suggestion of payment per gallon is a way out, it certainly sounds an attractive proposition.

Pandit Nanak Chand: Sir, I beg to move—

"That the question be now put."

Mr. President: The question is—

"That the question be now put."

The motion was lost.

Sardar Jodh Singh [Sikh, Urban]: Sir, water-supply is evidently a monopoly. In all monopolies there is sometimes a limit by fixed law and sometimes if the monopolist is Government itself there is what I should call an ethical limit. My friend from Amritsar gave an instance of electricity charges. All companies have got a limit fixed by Government. They cannot charge more than that. In the case of water rate if we turn to figures we find that we have spent 22,58 lakhs on our canal system and our earnings from water rate come to 4,32 lakhs, that is we are earning 19 per cent. If we take away the working expenses we are earning 12 per cent. net simply on account of water rate. If I remember aright, that is the average interest which the zamindars pay to the *bania*—and *bania* is condemned every day in the Council—I do not know what terms we can use for Government which is making profit at the same rate for the investment that it has made. If I include the land revenue also which is an indirect receipt on account of irrigation the net is raised to 20 per cent. What I ask is whether there is any superior limit to this sort of levy by Government. The honourable member representing the Chamber of Commerce raised one point—he criticised the suggestion giving some concession to small holdings. Perhaps he does not know that the consolidation of holdings only means consolidating the land that belongs to one owner only and it does not mean that we are creating economic holdings in the sense that they have got in England. What is happening is that one owner has got his plots scattered over a large area, and they are being consolidated into one plot. By consolidation small owners are not being turned into big owners. My proposal is that when the question of taxation is reconsidered as promised by the Finance Member.....

The Honourable Sir John Maynard: Reconsideration does not necessarily mean reduction, it might mean enhancement (Laughter).

Sardar Jodh Singh: I was going to say that we are urging a reconsideration for reduction, but if reconsideration means enhancement, then it is a new interpretation. Now, Sir, what I propose definitely is that people who have got say one square or half a square of land, their water rate may be reduced. My second point is that charge should be made for the water really supplied. Government should see to it that it is charging people for the actual commodity it supplies. If it supplies only one watering to people and does not supply the remaining three waterings, then it should only charge for one watering and not for all the four waterings.

If rules are made to remedy this defect I think enough reduction will be made in the abiana. Of course as one honourable member remarked zamindars are also to be blamed for that to a certain extent. In October and November when they begin to sow their wheat, water is enough in the canals and they try to sow as much land as possible, never calculating that in winter they will not get enough supply. But what I say is that though they might use that water for irrigating more land than the authorised share, we cannot defend the charges if water is not at all supplied to them for the second or third or the fourth watering. As the honourable member for the Chamber of Commerce suggested, the best way is to sell water by measurement and if the rate is raised even a little at first it will prove more economical to the zamindar in the long run. These are my definite suggestions for the directions in which the rate of abiana may be reduced, namely the reduction for small holdings and the volumetric system of charging for water.

There is another fact to which I may draw the attention of the House. I said in my budget remarks that the expenditure for distribution of water, collection of rates and repair of the banks amounted to 37 per cent. of what we get on account of these rates. I wonder whether there is any business company that is spending so much by way of working expenses. (*A voice: Banks.*) The banks pay something for the deposits to the depositors by way of interest. Government pays nothing for the water that it distributes. I think if proper attention is paid to this charge, Government will be able to reduce the rates still further. With these few remarks I support the principle underlying the motion though I do not support the reduction of the full amount of 50 lakhs.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural] Urdu): Sir, with your permission I would proceed with my speech in Urdu so that I may be able to draw the attention of zamindar members of this Council to the poor plight of those zamindars who do not possess the facilities of canal irrigation. Sir there are three classes of zamindars in this province. First those who for irrigation purposes solely depend on rain-water, secondly those who irrigate their lands by means of wells, and lastly those who enjoy canal irrigation facilities. Fortunately or unfortunately I represent those zamindars who do not possess the advantages of canal irrigation. The Sutlej while it benefits other districts it does great harm to the lands of the zamindars of the Hoshiarpur district. It has been said that those who urge reduction in the abiana are well-to-do people and that their number is very small. Sir, I for one, agree on that point and if there are some members who think otherwise I would ask them to keep as much of their landed property as is sufficient for their maintenance and hand over the remaining property to the Government so that it may be distributed among the needy zamindars of the Hoshiarpur district. If they accept this proposal I would take

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them as the real supporter of the cause of the poor zamindars otherwise I would be constrained to think that they are simply striving for their own good. They have at heart their own good and do not care a bit for the welfare of the zamindars. It has been often remarked that so long as adult sufferage is not granted we should not ask for such and such things. My honourable friend Malik Firoz Khan Noon has also expressed the same idea. But Sir, I would submit that when this object is gained the very existence of these so-called representatives of the zamindars would be in danger. The number of those zamindars who have no voice at all in any matter now amounts to lakhs and if they get the right of vote they would certainly threaten the very existence of these few big landlords who now urge reduction in abiana. They place the case of those zamindars before the Council who do not get water from canals and thus by describing their misfortunes they urge reduction in the abiana in order to serve their own ends. In the last session of this Council I had propossd and I again propose it to-day that let the abiana ridden zamindars exchange their canal irrigated lands with the barani lands of the zamindars of my district. If that is accepted the zamindars of my district are quite prepared to pay even the enhanced rates of abiana. Sir, I think that my honourable friends of this Council have probably forgotten that last time I had also proposed an amendment to the effect that the abiana on the canals where canal commandable area is less than fifty or forty per cent. should be reduced and where such area is more than fifty per cent. no reduction should be made in abiana. On thisz amindar members were very much frightened and began to whisper one to the other till at last in consequence of my amendment the original resolution was withdrawn. On another occasion my honourable friend Lala Sham Lal also proposed that the abiana of the poor zamindars of the Hissar, Karnal and Rohtak districts should be reduced. Sir, both these proposals were thrown out. In connection with the proposal of Lala Sham Lal, the zamindar representatives of this Council, were quite aware of the fact of the canal commandable area on the Jumna canal is less than forty per cent and as such if they had accepted that proposal it would not have benefitted them. Sir, I would once again draw the attention of zamindar members who raise the question of abiana in season and out of season to the fact that water is not the property of any particular person or a class of persons. The whole population of the province is entitled to it but unfortunately a very small proportion of it can get water from canals. Now the question arises why those zamindars who have the monopoly of canals should not pay for the water used by them in one way or the other. Sir none of my friends or the representatives of the zamindars of the canal irrigated areas here have so far been able to reply to this argument of mine that from the use of the water of the five rivers of the Punjab which benefit some districts and do great harm to others why should a few persons exclusively make profits. What right have they other than that possessed by the whole population of the province? If any honourable member of this House replies to this argument I would be satisfied. In fact the theory is that all the lands of this province belong to the state, for which the state takes land revenue. Sir I cannot understand why the zamindars of the canal *ilaqas* should monopolise water and should get a lion's share in the distribution of lands and derive all profits and enjoy all privileges while the majority of the poor zamindars should starve. Would any honourable member please enlighten me on this point?

My friend Pir Muhammad Husain referred to the case of provinces and the honourable the Financial Commissioner has replied to it. I would submit that there are very few canals in other provinces. While referring to the

profits made by other provinces it has been remarked that there the profits are only 5 or 6 per cent. Yes it is so, but here if this Government makes more profits it is simply because more water is available here than in other provinces. It is not owing to the fact that as compared to this province low water-rates are charged in other provinces.

Sir, I have listened very attentively to the speech delivered by my honourable friend the Member for Revenue. Now he has remarked that we should consider the question how the surplus should be used. Last year I had proposed that the surplus should be used for the purposes of military training of boys in Colleges and for the introduction of free and compulsory primary education in this province. But then the Honourable Minister for Education, now the Honourable Member for Revenue had missed his chance. Now he has given expression to this idea but disapproved my suggestion while he was himself the Minister for Education. He ought to have set an example at that time. What is the use of proposing that which he has not liked to do himself. Moreover, Sir, I do not accept the definition of co-operation as given by the Honourable Member for Revenue. By that he perhaps means that whenever we the non-official members of this Council should move any matter here we should first be careful to enumerate the blessings of the British Government and praise and flatter the Government officials. Sir, if he wishes to impart this lesson to Pir Sahib he is welcome to do that, but our Pir Sahib is already perfect in this respect and whenever an occasion arises to co-operate with the Government in the sense explained by the Honourable Member for Revenue the Pir Sahib with every sentence he speaks pays tributes to the Honourable Financial Commissioner Mr. King, Mr. Sangster and Mr. Anderson and others. Sir, we do not accept this definition. We reject this definition of co-operation. Co-operation does not mean that we should flatter the Government in season and out of season. Sir by giving this lesson to us you make our position difficult. It must be remembered that the officers of State are the servants of the people. They are not the masters of the people. It is our duty to understand the point of view of Government and their duty to understand our point of view. We must honestly but fearlessly place the grievances of the people before Government. But to say that we should flatter the Government in season and out of season is a demand worthy to be condemned in strong words.

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Sayad Muhammad Husain: Although as my honourable friend from Hoshiarpur says I pay thanks to the official members with each sentence whenever I speak I am being threatened and scolded in spite of all that.

Pandit Nanak Chand: Sir, my honourable friend from Montgomery remarks that with all his thanks he is reprimanded by the official members. But Sir, I would submit that so long as we are honestly performing our duties of representing the wishes of our constituencies, nobody would dare to threaten us in the way in which the honourable Mian Sahib has threatened Pir Sahib to-day and a few days back. I admit that we often speak harsh words in a manner in which we ought not to have spoken them and that we are not co-operators in the sense in which the Honourable Member for Revenue likes us to be; however, we realise that co-operation is the best method to solve the problems of our country.

(*A voice: Question*): Sir, you may question my statement but such is my conviction. I think that you have forgotten that the

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occurrence of Martial Law and Non-Co-operation days are still fresh in the memories of the people. Persons who try to co-operate with the Government are still being looked down upon by the people. In the end, Sir, I once more urge that the House should not accept the definition of co-operation as given by the Honourable the Member for Revenue. Sir it is our duty to criticise the Government, to bring home to them their weaknesses. We are entitled to force the Government to accede to the wishes of the people. With these words I resume my seat.

Chaudhri Nur Din [Lyallpur South (Muhammadan), Rural] (Urdu): Sir, I also claim to be one of those zamindars whose lands are irrigated by canal water and I consider it my duty to place before the House my point of view and that is I may say the point of view of my constituents.

Sir, we live and our lands are situated at the tails of the Jhang and Gugera branches and there is always deficiency of water at tails. The zamindars living and owning lands at such places do not get sufficient water even for purposes of cultivation and practically get no water for maturing their crops. If ever their crops mature it is due to the timely rains that fall. And if this year rain has not fallen, you can see for yourself that their crops have altogether failed. But what do we see on the other hand. Not only the abiana is being enhanced every year, but the mogas are also being remodelled every now and then, and if the Government ever takes into its head to do any favour to the poor zamindars, the local officers nullify its effects in practice. For example if the Government was kind enough to order remission of abiana in case of fodder grown, the patwaris and other local officers did not allow the zamindars to take advantage of those orders and I will presently tell you how. Generally the zamindars sow *senjhi* and *methra* with here and there a grain of wheat or *jau*, etc., in order to make the fodder more palatable for the cattle. But the patwaris when inspecting such crops, enter such crops into their as *khasras* wheat or *jau*, etc., as the case may be and consequently revenue is charged at the rates fixed for wheat or *jau*, at the high rate.

The policy of the Government with regard to allowing *kharaba* is also defective and particularly it is so in the case of Lower Chenab Canal. The *kharaba* there is allowed only if the crop is calculated to yield one-fourth or less than one-fourth of what it should have ordinarily yielded. *Kharaba* is not allowed if it is considered that the crop under inspection will yield a jot more than the prescribed one-fourth. And then the zamindars seeking to be allowed *kharaba* must apply for it in time so that the officers concerned may be able to see how much *kharaba* can be allowed. This provision I say is practically useless particularly because the zamindars are mostly illiterate. Some of them fail to apply and the applications of others are either lost in transit or the clerks delay in presenting them to the officers in time. If a few applications reach the officers in time, they are either altogether ignored or if the officers take the trouble to come for inspection, they come too late because by that time the crop is cut and removed from the field. There is also another difficulty in this connection. Zamindars being generally illiterate, they never care to enquire what the inspecting officer has reported if in any case he happens to come in time. Neither the officer himself tells them what report he will make. After their crop is inspected, the zamindars sit quietly over the matter and their eyes are opened only

when they are handed over the *fard* of revenue in which they find to their utter disappointment, that no *kharaba* was allowed. Then they cannot even prefer an appeal because the time for appeal expires by that time.

I have already mentioned that mogas are being remodelled every now and then. For example there are already three rajbahs, namely Khikha, Dabanwala and Rajana in the Bhagat sub-division. There is already a complaint that water in these rajbahs is not sufficient to irrigate the lands situated on them. They flow one by one and if there is water in one, there is none in the others. Then these lands are very sandy and hard and therefore the insufficiency of water is keenly felt in this *ilaqa*. But inspite of these complaints, it is known to everybody, that another rajbah, namely Pir Mahal is going to be opened shortly by which it is intended to irrigate 1,600 squares more of land. I do not know how that *ilaqa* will fare when Pir Mahal extension will begin to reclaim so many squares of land. Besides the Pir Mahal rajbah, Khikha extension has been sanctioned by which it is intended to irrigate another tract of land comprising of 800 squares. This rajbah will also take its supply of water from the Bhagat sub-division. The situation will become all the more serious when out of the 20 per cent. land now reserved for pastures in every village 10 per cent. will be sold by auction as has been already ordered by the Financial Commissioner and when this area will also have to be irrigated. Therefore I say that any increase in the abiana is totally unjustified. Under these circumstances, I hope the Government will favourably consider the question of abiana.

With these few words I support the motion for reduction in the abiana.

Mr. W. P. Sangster (Chief Engineer, Irrigation) : Sir, two honourable members who have spoken in this debate have drawn attention to the fact that the canals were making a high rate of profit. One member said that the canals were making something like 14½ per cent. and another said that it was something like 20 per cent. One honourable member said that he got his figures from the Administration report, another said that he got them from the budget. During the former discussion on abiana in November 1924 certain figures were supplied by the Irrigation Branch to the then Revenue Member and it was shown that the profits for six successive years, from 1918 to 1924, were never more than 8½ per cent. In one year the percentage of profit was as low as 6·6 per cent. That was in 1922. That, of course, was for direct receipts alone and that is the proper way to look at profits on canal scheme. The indirect receipts consist of a certain proportion of land revenue which is credited to canals for certain accounts purposes, but for the purpose of finding out what the true profit of a canal scheme is, you have to take the direct receipts alone and the percentage derived from these varies from 6½ to 8½ per cent. according to the figures which were given in the official reports of the Council Debates in November 1924.

Some members who have spoken have complained about the shortge of canal water and about certain areas of crops only getting one watering. It must be remembered that a limited quantity of water has to be spread over a large area of crops. Honourable members must know for themselves that this year has been a very dry year. The winter rains have entirely failed and the supplies in the rivers this year have been much lower than they have ever been before except in one or two very exceptional years. Naturally, therefore, the people are allowed a very restricted supply of water.

[Mr. W. P. Sangster.]

It must be remembered however that the area sown by most of the cultivators whose lands are irrigated by canal water is far in excess of what they are legitimately supposed to cultivate. They were gambling on the winter rains. They have sown far in excess of what we call the designed area of irrigation and now, of course, the winter rains having failed they have very great difficulty in maturing their crops.

One honourable member said that no protection is given to the people, that they do not get sufficient water for their crops and get no remissions. Other members have also spoken about the question of *kharaba*. Protection is given to the people if their crops have not matured. If their crops have not matured, remissions are given on a fairly liberal scale. They are all governed by the rules under the Canal Act. If I may, I will just quote extracts from the rules. "Claims for remissions which may arise from a failure of supply of water shall be presented to the Divisional or Sub-Divisional Officer or Deputy Collector before the crop is cut. The unit of remission in such cases... will be the guiding principle for the divisional and canal officers. They can remit up to a limit of Rs. 100 for each individual and up to Rs. 1,000 for one village themselves. If the divisional or the canal officers considers that a higher rate of remission should be granted the sanction of the Superintending Engineer will be required." These are the rules that provide for remissions. The people do not have to pay anything if their crops fail entirely. Also it may be stated that where the supply of water is precarious, there are certain other rules where even if a crop is a little worse than an eight anna crop he gets remission. That occurs in places where the supply is precarious. Then, of course, in the case of widespread calamities very liberal remissions are always given. For example if any large area should have been so affected by the failure of winter rains or through a shortage of water in the rivers that the crop had all failed it would be considered a widespread calamity which would come under the rules governing liberal remissions.

Then as regards the volumetric assessment which has been mentioned by several honourable members who have spoken, I wish to state clearly that the canal department has never discouraged the volumetric system. Canal officers have never refused to give it to anyone who has come and asked for it. The fact is that there are very few who have come and asked for it. We have never refused it to anyone who has come and asked for it. The system is simply this that a man pays so much per cusec or by a simple calculation, you can turn it into so much per gallon—and he can spread the water which he gets just as he likes, over eight acres or he can spread it over forty acres or over any area he likes. In the volumetric system he would pay the same amount, but I would warn the people who would like to rush into this particular kind of assessment that they would be up against the difficulty of distributing the bill among the shareholders. Who is going to pay the bill? We have at present only a few people who are taking the volumetric assessment and who have made themselves responsible for the payment of the bill for a certain outlet. Under the volumetric system the canal department will not undertake to prepare bills for each particular shareholder. The shareholders as a body would have to undertake to be responsible for the total of the bill. Who would make calculations and details of the shares for each individual shareholder? Who would make the distribution of the total amount for each petty shareholder? Who

is going to see that each petty shareholder gets his proper amount of water? Well, if these difficulties can be overcome by the people themselves, we in the department are quite willing to give a volumetric assessment wherever they want it.

One honourable member also said something about a suggestion that the canal department should decrease its expenditure. If there had to be a decrease in expenditure in the canal department, I am afraid it would have to be done by a curtailment of the staff. Most of the time of the existing staff is taken up in seeing that the water is properly distributed If the staff is reduced, water would not be properly distributed in some areas. In some areas it would be less, in others it would be more. Then also we would have to reduce or stop entirely the work of extensions which are now being undertaken. If you want to decrease our expenditure, there will be no staff available to be put on extension work.....

Sayad Muhammad Husain: I only said, consequential increase.

Mr. W. P. Saugster: The first thing we would have to do would be to reduce the staff, but we must keep a sufficient staff to keep the canals running. We must try to keep up the supply of water to the existing irrigators. The first thing we would have to do therefore would be to cut down our staff on extensions.

Then one member who has just recently spoken bitterly complained about the shortage of water in his particular area where he said extensions were being provided for in a tract where water was already short. But I would remind him that there are many areas on the Lower Chenab Canal with its enormous system of 2½ million acres of irrigation which are doing 140 per cent. of annual irrigation whereas their legitimate amount is only about 70 per cent. They have been able to do that because they have been getting a little more water than they were entitled to By introducing the latest kinds of modules and outlets and by introducing various controlling points on the distributaries and minors we hope to ensure a better distribution of the supply. We have been gradually improving and perfecting the system of distribution and by these means we hope to get water for these comparatively small extensions. The distributary which the member who has just spoken mentioned—the Pir Mahal—will only require about 50 cusecs. We can squeeze that out of a canal with nearly 11,000 cusecs by a more perfect system of distribution.

Then another member, I think Mr. Gray, who recently spoke, mentioned the fact that in the abiana question, there had not really been an enhancement. I think he said that that fact had not been mentioned during this session or perhaps he meant during this debate. It has certainly been mentioned during this session because on the general discussion of the budget Sir John Maynard himself pointed out that it was not really an enhancement of abiana that was put on 18 months ago but only a levelling up of the different rates on the different canals bringing them up to the same level, except in the case of cotton. There is no one who could oppose an increase in the rate for cotton because on cotton very high profits have been made in recent years. With that one exception of cotton there is no other rate which has been raised higher than what already existed elsewhere.

[Mr. W. P. Sangster.]

There is one thing I have omitted to mention, in connection with volumetric assessment. Although it might mean a decrease in number of patwaris and zilladars, it would mean an increase in the number of gauge readers or "*pansalnavises*" because the volumetric system depends on the reading of gauges, and I understand that our poor zamindars are equally averse to gauge readers as they are to patwaris.

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

"That the question be now put."

Mr. President : The question is—

"That the question be now put."

The motion was carried.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, I only wished to discuss this matter from a purely economic point of view but I am sorry my friend the Honourable the Revenue Member has introduced an element of politics again into it. He pointed out, rather he threatened us that we zamindar members who are at present in a majority will no longer be in a majority if we go on opposing Government in this way. He said that Government can reduce our seats. We are not very much afraid of that.....

The Honourable Sir John Maynard (Finance Member) : I think I must repudiate that at once. It is quite a mistake that any such suggestion was made. I must at once make it plain that no such suggestion was made by any member.

Sayad Muhammad Husain : He said that the Government had already reduced abiana in the life of this Council and we have not been thankful. I shall quote from a letter which I had once quoted from in the last session. With your permission I will read only the last sentence from that letter addressed to me by a competent zamindar, I mean Major Vanrenan. He says—

"Surely the accumulated effect of the above increases means a general increase of more than 25 per cent. instead of a modification of the first enhancement.

"It is my opinion that the Irrigation department has not carried out His Excellency the Governor's intentions, but by regrouping crops in different classes has arrived at a greater increase even than 25 per cent."

This is the net result of that reduction. This is the observation of my friend Major Vanrenan, an English landlord. He has written a very detailed letter but I do not want to read the whole letter as I have already read it once before.

Now as regards the observations of my friend the Honourable the Financial Commissioner, he has quoted that the peasantry of the Punjab are not poor but they are not very economical. There is no comparison of these people with the peasantry in other countries. Last year I heard a lecture by Mr. Strickland in the Y. M. C. A. hall, perhaps some members of this Council might have attended that lecture. He depicted to us the condition of the zamindar of Egypt and compared him with that of the Punjab. The zamindars of Egypt had no comparison with those of the Punjab. Their civilization, their very economic condition was far better than that of the

Punjab zamindars. If we compare the condition of the Punjab zamindar with that of the zamindar of Denmark, perhaps Mr. King has not seen Denmark, but I have read from books (*A voice*: *Have you gone there?*) I already said that I only have read from books written by those who have seen Denmark. If we go to Denmark we will find that the prosperity of the peasantry there is by far better than that of the peasantry in the Punjab. The average holding in Denmark is 65 acres per family, whereas the average holding per family here is very small only about 2 or 3 acres and in some cases 5 acres. This is because the peasants here have got a very great amount of overhead taxation. Our taxation is far greater than that in Denmark.

Again compare the Punjab with Germany. Compare it with the United States of America. Then you will find that there is no comparison at all. The disparity is so great. Mr. King compared the Punjab with other provinces. It is very easy to make such comparisons and say that the Punjab peasant is much better than that of any other province.

Khan Bahadur Nawab Muzaffar Khan: Come nearer home and compare with Afghanistan.

Sayad Muhammad Husain: The people of Afghanistan loot property from us and carry it away. Don't compare this province with any Asiatic country. You have not got there the western civilisation. We have been under the British Government for the past two centuries or so, and so we expect that we ought to have reached the same standard of civilisation, the same standard of liberty and the same standard of education which the other dominions and co-partners in the Empire have reached. Coming to our own country we have no comparison with the peasant of the United Provinces or of any other province. In the United Provinces the land is parcelled out to a few talukdars and to a few big zamindars and all other people are serfs. Here it is just the opposite. Here the land is parcelled out to all people alike barring a few magnates referred to by Sir Gopal Das, Bhandari.

Then the Financial Commissioner asked, why on earth these people come forward to buy the land if it is not paying? Why do they pay such a prohibitory price? Why is it that they try to buy more and more land? This is because there is no other industry in the province. Agriculture is the mainstay and agriculture is the only industry in the province. Where else can these people go? If they go to any other country, they are turned out. See South Africa for instance. Here they have to pay high prices and stick to their lands. They do not pay economic prices. They gamble as it were.

Sardar Buta Singh: Some people in Sheikhupura are thinking of selling their lands.

Sayad Muhammad Husain: Exactly. My friend points out that they are willing to sell their lands. The honourable member for Amritsar said that it was foolish on the part of these peasants to buy land at uneconomic prices and that no law can safeguard the fools. He is quite right there. It is to defeat the object of pre-emption that people raise the prices of land. If you really want to know the economic price it can be ascertained from mortgages and not from sales.

Rai Bahadur Sir Gopal Das, Bhandari: Is that relevant to the subject under discussion?

Sayad Muhammad Husain : I am answering the points raised by the Financial Commissioner. If he was relevant in raising those points, then I am also relevant.

Pandit Nanak Chand : Do you mean to say that these prices are fictitious.

Sayad Muhammad Husain : Yes. Now, Sir, the Financial Commissioner compared the well irrigation with canal irrigation. He said there was no comparison. Well irrigation costs seven times as much as canal irrigation. I admit there is no comparison. It was to relieve the people considerably from the well irrigation that it was pressed over and over again from every platform and from the Congress hall that canal irrigation should be extended. It was to relieve the people of the high cost of irrigation from wells that these irrigation projects were brought into force. I can quote from Mr. R. C Dutt's book in support of this contention. If you are going to charge the same standard of cost of well irrigation for canal irrigation also .. ...

Mr. C. M. King : I never for one moment said that we should charge the same rate as the cost of well irrigation. My friend is entirely mistaken. It was only a comparison of well irrigation with canal irrigation. I said that well irrigation costs seven times as much as canal irrigation.

Sayad Muhammad Husain : What is the use of that comparison ? There is no use of comparison. The Financial Commissioner compared with the cost in Bombay. I am very thankful for his giving that information which I could not find, that there is a very heavy charge of abiana in Bombay. It must probably be due to the heavy cost of constructing the canal in those hilly tracts.

Now as regards the observation of the Chief Engineer, I must say that he has misunderstood me. I said that if you were to reduce the expenditure if the volumetric system is extended, people will be saved from corruption. The villagers are as a class corrupt. The people will be safe from the exploitation of the corrupt agency of Government and a good deal of money of the poor people will be saved. I never said that the expenditure of the Government on the working or the canals will be saved. If the people gamble upon rains they are the losers and not the Government. Whereas when the people lose by the gamble, the Government gains. When the Government is gaining considerably over the gamble of the zamindars they should not enhance abiana. The enhancement of abiana is very keenly felt especially in water-logged areas. There the yield is considerably less. The incidence of this increase is harsher and keener in practically half the province where water logging has already appeared. As regards the objection of my friend Pandit Nanak Chand, he represents the zamindar class only in name If he has the best interests of the rural class in his constituency he should fight for their rights He asked what right have a few people got over the waters of the rivers. If he wanted that the agriculturists of his constituency also should have a right over these waters, he must insist on the Government to give lands to those people, that more land should be given to those who have at present got no canal irrigation.

The Honourable Sir John Maynard : What about Janglis ?

Sayad Muhammad Husain : That is quite a different question (Laughter). The honourable member could have pressed the claim of the

zamindars of his constituency. He might have told the Government, "These are the people who have got no canal irrigation in their *ilaqa* and therefore they should be given land in the colony areas." They are the true friends who push forward the claims of the zamindars in their constituency. A man who is dead against the reduction of abiana, a man who is always against the vital interests of the zamindars, surely he cannot be a representative of the zamindars. (Hear, hear and laughter.)

The Honourable Mian Sir Fazl-i-Husain (Revenue Member), (Urdu): Sir, what few words I have to say, I will say in Urdu. The discussion on the question of reduction in the abiana has occupied the whole of the time of the Council to-day and I am half inclined to say that the members deserve to be congratulated for their efforts to leave no time for discussion on other topics. All the arguments that could be advanced in favour or against the reduction of abiana have been with perfect clearness put forward before the Council this afternoon. Both sides of the question have been fully dealt with. If there were some non-officials members in favour of reduction, there were other non-official members who opposed any reduction in the abiana. I will not attempt to give a summary of what has been said to-day, because that is sure to take too long a time. However, I must say that the honourable non-Muslim member from Hoshiarpur has done his duty well and has proved beyond doubt that the present rate of abiana is not in the least in excess of what it ought to be. He further tried to make it clear that abiana could be further enhanced and if the Government were to actually increase it, no reasonable objection could be raised against that enhancement. I am sure if any one here or outside the Council will ponder over the arguments which the honourable non-Muslim member from Hoshiarpur used, he will be convinced that it is no use trying to reduce the abiana, for the same burden will have to be borne by the shoulders of others whether fit to bear that burden or not. I tried to bring home this very point to the zamindar members of the Council in my previous speech on the subject.

It was then suggested that I or the Government members threaten those non-official members who stand up and oppose the Government. Far be it from me or in fact from any Government member to do so. God forbid that we might entertain such a reprehensible idea. On the other hand we welcome criticism by the non-official members and want them to have perfect freedom, when indulging in it. We wish that every question that comes before the Council be thoroughly discussed, because, we believe that it is only by free discussions that many knotty problems can be solved and real progress can be made. All the arguments that are put forward by the non-official members receive most careful consideration by the Government. As a matter of fact even those suggestions which do not appear to be helpful are thoroughly sifted by our officers in the hope that there might be some good in them.

Then it was alleged that I want to hear nothing but flattery from the non-official benches. This is if I may say so, entirely untrue and some may even condemn it as an infamous fabrication. The honourable members should know that I have always valued and encouraged the development of the sense of self-respect. I wish every human being to be self-respecting. Not only should the rulers be possessed of this sense, but the ruled also must be self-respecting. If we could induce the ruler and the

[Hon. Mian Sir Fazl-i-Husain.]

ruled to be self-respecting I am sure that many difficulties that now arise in the administration would either never arise, or if they were to arise, could be easily removed. But one thing we must remember. If any one wants to be self-respecting, he must be so everywhere whether he is on the platform or he is in a private room. One cannot be said to be self-respecting if he conducts himself differently at different places. His conduct must be uniform whether he is closeted with an officer or is discoursing before an audience. To say that I want flattery or that I wish that the non-official members should bow and cringe before the Government officials is, to say the least, to make an accusation which the honourable members of this House know perfectly well is untrue. I have felt this remark of the honourable member from Hoshiarpur very keenly for in my public life I have striven hard to develop the sense of self-respect, to condemn flattery of every description. Perhaps it might be within the recollection of the honourable member that he had not yet stepped into the political world, when I had used exactly the same words as President of the Punjab Provincial Congress as he has employed to-day and I had made particular mention of the Government officials in my address on that occasion. Therefore I say that no one who had the least regard for facts could have brought such a charge against me. Not only do I hate flattery myself, but I condemn this bad habit in others and I have dissuaded many from resorting to flattery. I am sure when the honourable member from Hoshiarpur will ponder over the few words I have said in this connection in his calmer moments, he will realise that either he had made an allegation which he never intended to make or that he was under some misapprehension.

I now turn to what the honourable member from Montgomery has said in his speech to-day. I had stated in my previous speech on the subject that abiana had already been reduced by 17 lakhs of rupees. The honourable member has now told the House that abiana has not been reduced, but in fact it has been enhanced and in support of his contention he has relied on a statement in a letter from Major Vaurenan. Now it is obvious that either he is right and I am wrong or that he is labouring under some misunderstanding. I might say that neither did I make a wrong statement nor was he totally wrong. In certain places for example in Lahore, Amritsar and Gurdaspur, where the people were paying abiana at higher rates, it has not been enhanced. But on certain other canals and places, abiana has been enhanced because the rates there were much lower, and perhaps Montgomery is one of those places. The Government has only equalised the charges for water on all the canals, and has in fact reduced the abiana if the province as a whole be taken in consideration. But the difficulty is that those who say that abiana has been enhanced, they do not look beyond their own interest.

Turning to what the honourable member from Lyallpur said, I need not say anything else than that I can assure him that it was never the intention of the Revenue department that its officers should not allow reduction in abiana in case of fodder crops contrary to the orders of the Government.

I have one thing more to say and that is to remind the honourable member from Montgomery that it does not behove him to condemn indiscriminately any class of officers as a whole in this honourable and responsible House as he has done to-day. He said that all the zilladars were corrupt,

May I ask him whether he has personally come in contact with all of them? I do not think he has and still more I do not think he has himself personally found them accepting bribery. If he can say that his condemnation is based on his personal knowledge, the Revenue department will be glad to make exhaustive enquiries into the allegation.

Sayad Muhammad Husain: I do not claim to know them all personally.

The Honourable Mian Sir Fazl-i-Husain (continued in Urdu): Then the honourable member admits that his allegations are based on hearsay and that he has not offered bribery to all of them himself (laughter). Perhaps he means to say that only those zilladars are corrupt who happened to be posted in his *ilaqa* from time to time. Any way it does not seem proper to make a wholesale condemnation of any class of officers in this responsible House. God has not made all fingers of the same size. In other words all men are not dishonest, and if there is to-day a majority of dishonest zilladars, I must say that the public with whom they deal is not less to blame. No one can deny that the zilladars and in fact all classes of officers are induced by the public to accept bribery. It is the public that make them corrupt and then their representatives come here and begin to condemn them in the strongest language possible. The zamindars whose lands are situate near the heads of the canals offer bribery to the zilladars and induce them to give more water to them than they should ordinarily get and that is why the people at the tails are always complaining that they do not get sufficient water. Before I sit down I would like to make it clear that unless the non-official members, who can reasonably claim to have influence with their constituents, make up their minds to take a vow that they would henceforth discourage every form of corruption and will try to root it out, no Government can possibly check this evil effectively.

Mr. President: Grant under discussion motion moved:

> That the total grant be reduced by Rs. 50,00,000."

The question is that that motion be adopted.

The motion was lost.

The Council then adjourned till 2 P. M., on Thursday the 11th March 1926.

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PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 11th March 1926.

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

OATH OF OFFICE.

The following member was sworn in :

Lt.-Col. C. R. Bakhle (official nominated).

QUESTIONS AND ANSWERS.

VISIT TO CENTRAL JAIL, MULTAN, BY LALA BODH RAJ AND SARDAR GURBAKHSH SINGH.

2792. Captain Dhan Raj, Bhasin : With reference to the answer to Question 2292* (*ii*) (*d*) asked on the 11th December 1925, will the Government please state whether the enquiries have since been completed ? If so, will the Government please lay on the table the result of their enquiries ?

The Honourable Sir John Maynard : The answer to part (*ii*) (*d*) of Council Question No. 2292 is laid on the table.

(*Answer to Question No.* 2292 (ii) (d)).

(*ii*) (*d*) The evening meal had been distributed to all except a very few prisoners.

HARTAL IN THE FEROZEPORE CITY.

2793. Captain Dhan Raj, Bhasin : (*a*) Is the Government aware that a complete half-day hartal was observed in the Ferozepore City on the 27th November 1925 ?

(*b*) Is it a fact that the people suspended their business and observed the hartal on that day in obedience to a proclamation issued by beat of drum in all the bazars ?

(*c*) Will the Government be pleased to state if the proclamation was issued by order of the Local Government or Deputy Commissioner, Ferozepore ?

(*d*) If the reply to clause (*c*) be in the negative, will the Government enquire and state the source from which the order for the proclamation emanated ?

(*e*) What action does Government intend to take with a view to avoid the recurrence of the same and the consequent inconvenience to the public in future if it is found that the proclamation was the result of a conspiracy engineered by one private individual or a group of individuals ?

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

*Vol. VIII-B, pages 1836-37.

APPEAL CASE OF GURDWARA MANAK, DISTRICT LAHORE.

2794. Captain Dhan Raj, Bhasin: (a) Will the Government be pleased to lay on the table a copy of the judgment delivered by the High Court of Lahore in December 1925 in the appeal case of Gurdwara Manak, District Lahore?

(b) Does the Government propose to amend the Sikh Gurdwara Act of 1925 in the light of the said judgment?

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

SALE OF GOVERNMENT PUBLICATIONS.

2795. Captain Dhan Raj, Bhasin: (a) Will the Government be pleased to state whether Government publications that are made available for sale to the public by the Superintendent, Government Printing, Punjab, are sold at cost price or at a certain fixed profit? If the latter, what is the percentage of profit usually realized?

(b) Is it a fact that the report on the working of municipalities in the Punjab and the report on the working of district boards in the Punjab are sold at the price of Rs. 5-12-0 and Rs. 1-6-0 respectively? Why are these reports sold excessively dear?

(c) Has the Government any objection to issue its publications for sale at cost price or only at a moderate profit in future? If so, what?

The Honourable Mian Sir Fazl-i-Husain: (a) Very little profit is made on sales of Government publications. Fifty per cent. on the actual cost of printing and materials used in production is added when fixing the sale price. This percentage is to cover Publication Branch charges, loss on publications which remain unsold, and the agency commission of 25 per cent.

(b) Yes: the Municipal and District Board Reports for 1923-24 were sold at Rs. 5-12-0 and Re. 1-6-0, respectively. The main reason of the high cost of these reports is the small number of copies printed as there is very little demand for them. Only five copies of Municipal Report and six copies of District Board Report for 1923-24 have so far been sold.

(c) None, Government will be satisfied with a very moderate profit. The problem, however, is to secure a large sale.

RECRUITMENT OF MILITARY ASSISTANT SURGEONS IN THE PUNJAB.

2796. Captain Dhan Raj Bhasin: (a) Arising out of the answer to the supplementary question put by me to the Council Question No. 2424* on 11th December 1925, will the Government be pleased to state if a further representation to the Government of India with regard to the recruitment of Military Assistant Surgeons in the Punjab, has been made?

(b) If the reply to clause (a) be in the affirmative, will Government be pleased to lay on the table a copy of the representation made?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) No.

(b) Does not arise.

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*Vol. VIII-B, pages 1692—95.

CATTLE.

2797. **Chaudhri Duli Chand**: (*a*) Will Government be pleased to furnish information as to the exact number (or in the absence of exact number, fairly accurate number) of bovine cattle classified according to their kinds that are annually slaughtered in this province for food and hide?

(*b*) Are the Government aware that agriculture in this province is seriously handicapped by the great deficiency of livestock and the millions of acres of land fit for culture are lying idle and classed as 'culturable waste' and 'current fallows' mainly because cultivators have not sufficient cattle to till them?

(*c*) Have the Government taken any kind of statistics to ascertain the production of milk in this province and the average quantity of milk an individual consumes? Have the Government considered if the milk is sufficient to meet the requirements of the people of this province? If not, do the Government consider the advisability of taking steps for increasing the supply of milk in this province?

(*d*) Will the Government be pleased to state the quantity of pasture land in the province available for grazing of cattle?

(*e*) Are Government aware that cultivators are obliged to sell off their prime cattle to butchers as the owners cannot bear their maintenance expenses, till next calving in the absence of grazing lands to feed their cattle? If so, do the Government propose setting apart 10 acres out of every 100 acres of cultivated land as grazing commons in well distributed centres out of land classed as 'culturable waste' and 'current fallows'?

(*f*) What is the area of land on which fodder crops are grown in this province? What steps do the Government propose to take to encourage the growing of more fodder crops?

(*g*) Will the Government be pleased to devise checks on unrestrained slaughter of cattle by passing a law for prohibiting slaughter of prime cattle and giving statutory power to all local bodies to prevent indiscriminate slaughter of cattle?

(*h*) Has the attention of the Government been drawn to the most reckless and neglected condition of cattle breeding in the province? How many Government cattle-breeding centres are there in the province? Have they effected any appreciable improvement in the stock of cattle of this province? If not, are the Government prepared to take early steps for the improvement of breed as suggested by the Board of Agriculture?

(*i*) Will Government be pleased to furnish information as to the quantity and value of 'jerked' beef prepared in this province for export to Burma? How many cattle are slaughtered annually in this province for this trade? Do the Government contemplate stopping slaughter of cattle for this purpose? If so, what measures do they propose to adopt for the same?

The Honourable Sardar Jogendra Singh (*a*) (*b*) (*c*). The honourable member is referred to the answers given to Questions Nos. *507, 508, 509 on 4th August 1924.

(*d*) No such information is available.

(*e*) (*i*) No

(*ii*) No. This is impracticable.

*Vol. VII, pages 42—44.

[Hon. Sardar Jogendra Singh.]

(f) The information will be found in statement C attached to the Report on the Season and Crops of the Punjab for the year 1924-25. Research work into the relative nutritive values of different kinds of fodder and methods of feeding cattle is being conducted at the Agricultural College, Lyallpur. As results of the enquiry become established, the Agricultural Department will be able to advise as to the most useful fodder crops zamindars should grow.

(g) Government as at present advised has no intention of undertaking any such legislation.

(h) The honourable member is referred to the answer given to Question No. 513* on 4th August 1924. Later information will be found in the Annual Report of the Veterinary Department since published. It has further been decided to reserve a considerable area in the new Nili Bar Colony for the improvement of the breeds of cattle of the Province.

(i) The honourable member is referred to the answer given to Council Question No. 514† on 4th August 1924.

SCHOLARSHIPS.

2798. **Chaudhri Duli Chand** : (a) Will Government kindly state if it is a fact that the scholarships are not given to students who pass their VI class from Vernacular Lower Middle Schools and join an Anglo-Vernacular school ?

(b) Is the Government aware of the hardship caused by the discontinuance of this scholarship ?

(c) If not, will Government make enquiries from Panipat schools especially the Balak Ram High School as to the existence of this hardship ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) No.

(b) Does not arise.

(c) Enquiries made from all the schools at Panipat indicate that they are not aware of any such bar as suggested by the honourable member. The Balak Ram High School authorities are also unaware of the hardship referred to in the question.

DAILY ALLOWANCES TO WITNESSES.

2799. **Chaudhri Duli Chand** : (a) Will Government kindly state the rate of daily allowances or diet money payable to first class officers attending criminal courts as witnesses in the Rohtak district ?

(b) Is a distinction drawn between first class Indian officers and first class European officers ?

(c) If so, what are the reasons for the racial discrimination ?

The Honourable Sir John Maynard : The honourable member is referred to the Rules and Orders of the High Court, Volume II, page 17. Officers of the 1st class appearing as witnesses draw a special allowance at the discretion of the Court concerned, irrespective of nationality, in the Rohtak district as elsewhere.

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*Vol. VII, page 45.
†Vol. VII, page 45.

ZAMINDARS AND REVENUE ASSISTANTS.

2800. Chaudhri Duli Chand: (*a*) Is it a fact that there are instructions issued by Government that as a rule only zamindar Extra Assistant Commissioners should be posted as Revenue Assistants?

(*b*) Will Government kindly give the total number of Revenue Assistants in the Punjab and state how many of them belong to notified agricultural tribes, classifying them by communities?

Mr. J. M. Dunnett: (*i*) No.

(*ii*) The total number of Revenue Assistants in the Punjab is 33 of whom at present 22 belong to notified agricultural tribes, classified as follows:—

Meslims.	*Hindus.*	*Sikhs.*
15	3	4.

REDUCTION OF MUTATION FEES.

2801. Chaudhri Duli Chand: (*a*) Is Government aware that an assurance on behalf of Government was given that mutation fees would be reduced to original rates of the pre-Reform years, that is, one-half of the present prevailing rates?

(*b*) If so, will Government kindly state what steps have been taken in this direction to give effect to this assurance?

The Honourable Mian Sir Fazl-i-Husain: (*a*) Yes.

(*b*) It has been fulfilled to the letter.

STIPENDS TO STUDENTS OF THE MACLAGAN ENGINEERING COLLEGE, MOGHALPURA.

2802. Chaudhri Duli Chand: (*a*) Is it a fact that the Indian "B" class students of the Maclagan Engineering College, Moghalpura, Lahore, are paid stipends at the daily rates of Re. 1-8-0—0 2-0—Rs. 2 while the European and Anglo-Indian students of the same class are paid a fixed monthly stipend of Rs. 50—10—80—20—100?

(*b*) If so, will Government be pleased to say what are the special reasons for this differential treatment?

(*c*) Will Government be prepared to consider the advisability of removing this racial discrimination by equalising the stipends of both classes of students?

The Honourable Sardar Jogendra Singh: (*a*) The reply is in the affirmative.

(*b*) The amounts of the stipends, paid by the North-Western Railway and the Punjab Government to their respective students, were fixed with reference to—

(*i*) Wages for work done;

(*ii*) Subsistence Allowance;

(*iii*) Hostel Allowance.

[Hon. Sardar Jogendra Singh.]

As regards (i) the pay for work done is the same for Europeans, Anglo-Indians and Indians.

With reference to (ii) and (iii) the Standing Advisory Committee on Industrial and Technical Education, recognising the difference in the standard of living between the two classes, decided that the Subsistence and Hostel Allowances should be higher for Europeans and Anglo-Indians than for Indian apprentices.

(c) The recommendations of the Standing Advisory Committee on Industrial and Technical Education must stand.

ALLEGATIONS AGAINST A SUB-INSPECTOR OF POLICE AT SAMRALA.

2803. Chaudhri Duli Chand: Is it a fact that a letter was sent by the Editor, *Zamindar Servant*, Lahore, to the Superintendent of Police, Ludhiana, in December 1925, containing very serious allegations against a Sub-Inspector of Police at Samrala thana in the Ludhiana District? Has any enquiry been made into the matter? If so, with what result? If not, why not?

The Honourable Sir John Maynard: A copy of the letter in question was sent to the Superintendent of Police, Ludhiana, by the Inspector-General of Police. From enquiries made it appears that it is pseudonymous, and the allegations contained therein are unfounded.

SCHOOL FEE CONCESSIONS.

2804. Chaudhri Duli Chand: (a) Is it a fact that in the case of fee concessions admissible under the new Punjab Education Code on the score of poverty, no poverty limit is fixed?

(b) Is it a fact that in the case of the sons of teachers, fee concessions can be enjoyed by those students only whose father's salary does not exceed Rs. 30 a month?

(c) Will the Government please state whether in actual practice the fee concession referred to in (a) is allowed only to the sons of parents whose monthly income is less than Rs. 30? If not, will the Government be pleased to state in what respects the fee concessions referred to in (b) are a special favour to the teachers?

(d) Will the Government kindly state what other special concessions are shown by the Education Department to the sons of teachers?

(e) Is the Government aware that teachers are generally poor? If so, will it consider the desirability of exempting from the payment of school fees and college fees the sons of teachers whose salary does not exceed Rs. 50 and Rs. 100 a month, respectively?

(f) If the reply to (e) be in the negative, will the Government consider the advisability of conceding preferential right to the sons of teachers drawing salary up to Rs. 50 a month to the enjoyment of fee concessions admissible on the score of poverty up to a limit of ten per cent. under the rules?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The income limit regulating the fee concessions for teachers' children has recently been raised from Rs. 30 to Rs. 50, and has been extended to Anglo-vernacular schools. Government is not prepared to consider any further extension of these concessions.

INSTITUTIONS MAINTAINED BY MUNICIPALITIES.

2805. Rai Bahadur Lala Sewak Ram: (*a*) Will the Government be pleased to state if they have issued a circular that each municipality should itself maintain its own institutions such as schools, dispensaries and cattle fairs, etc.? If so, will Government be pleased to lay this circular on the table?

(*b*) Has the Government issued instructions to all Commissioners of Divisions that the provisions of the circular are rigidly carried out? If not, what steps has it taken to enforce the circular?

The Honourable Rai Sahib Chaudhri Chhotu Ram:

(*a*) No.

(*b*) Does not arise.

SALE OF LANDS TO CHRISTIAN SETTLERS.

2806. Rai Bahadur Lala Sewak Ram: Is it a fact that Government is auctioning lands in the villages allotted to Christian settlers to outsiders? If so, will Government consider the advisability of selling such areas to Christian settlers at the average market price?

The Honourable Mian Sir Fazl-i-Husain: If the honourable member will state the Tahsil or Tahsils, or the district to which his question relates, efforts will be made to answer the question.

Rai Bahadur Lala Sewak Ram: In Lyallpur and Montgomery districts.

The Honourable Mian Sir Fazl-i-Husain: Efforts will be made.

Rai Bahadur Lala Sewak Ram: I did not hear the reply.

The Honourable Mian Sir Fazl-i-Husain: Are there any other tahsils?

Rai Bahadur Lala Sewak Ram: They are scattered in all tahsils.

The Honourable Mian Sir Fazl-i-Husain: Do you want information as regards all the tahsils of Lyallpur and all the tahsils of Montgomery? Do you think that it is absolutely necessary to pursue the enquiry?

Rai Bahadur Lala Sewak Ram: Yes.

The Honourable Mian Sir Fazl-i-Husain: Do you want to find out if the land was sold by auction .....

Mr. President: Such discussion cannot be allowed.

RETIREMENT OF SUB-REGISTRARS.

2807. Rai Bahadur Lala Sewak Ram: (*a*) Will Government please state whether there is a circular, issued in April 1924, according to which the Sub-Registrars are required to vacate their offices on attaining the age of 55 unless allowed an extension every year up to the age of 60 when they must retire unless allowed to continue as a very special case?

(*b*) Is it a fact that before the issue of this circular the Sub-Registrars were allowed to retain their offices up to the age of 65?

[R. B. Lala Sewak Ram.]

(c) Has the Government any objection to so amend the said circular as to allow those who were appointed Sub-Registrars before the introduction of the change to continue to hold their respective offices up to the age of 65? If so, what?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) Yes.

(b) Yes.

(c) Sub-Registrars who had attained the age of sixty years when the circular was issued were allowed to retain their office up to the age of 65 unless Government in any case specially ordered otherwise. In the interest of efficient administration it is not proposed to extend this concession any further.

DRINKING WELLS IN HOSHIARPUR DISTRICT.

2808. Pandit Nanak Chand: (a) Is it a fact that in a large number of villages in the Hoshiarpur district, especially in the tract called the *Beet*, the wells used for obtaining water for drinking purposes have gone dry?

(b) Will the Government be pleased to give the names of the villages in the *Beet* tract where there is not a single well which can be utilised for getting water for drinking purposes?

(c) Will the Government be pleased to give the number of wells which have thus gone dry?

(d) Will the Government please state what means the Government is adopting to supply the villages with water where there is no well which can be used for drawing water for drinking purposes?

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

PUNITIVE POLICE TAX IN BAJWARA.

2809. Pandit Nanak Chand: (a) Will the Government be pleased to state the total population of the Hindus, Sikhs and Muslims in the town of Bajwara in the Hoshiarpur district?

(b) Will the Government please lay on the table a list of those persons who were made to pay the punitive police tax in the above-named town?

(c) Will the Government give the names of the Deputy Commissioner, the Tahsildar and the Sub-Inspector of Police of Hoshiarpur, (within whose jurisdiction the town is) who were in charge at the time when this tax was first levied?

(d) Will the Government please state the names of the Babbar Akali offenders who were alleged to have been given shelter by the inhabitants of Bajwara? Was there any case started against those who gave shelter to those offenders?

(e) Will the Government please state the total amount of the tax realised from the date of its imposition to the date of its withdrawal?

(*f*) Will the Government be pleased to give the names of those police officials and police men who were actually stationed in the town of Bajwara for whose maintenance the tax was levied ?

(*g*) Will the Government be pleased to appoint a committee to enquire into the truth of the allegations made against the residents of Bajwara in connection with the Babbar Akali trouble ?

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

PROFESSIONAL TAX IN HOSHIARPUR DISTRICT.

2810. **Pandit Nanak Chand :** (*a*) Has the attention of the Government been drawn to the fact that a professional tax was levied by the district board of the Hoshiarpur district ?

(*b*) Is it a fact that the people were made to pay the tax for three years in one lump sum ?

(*c*) Is the Government aware that that caused great hardship to the tax-payers ?

(*d*) Is it a fact that the payment of the tax for the years 1921, 1922 and 1923 had ultimately to be cancelled ?

(*e*) Will the Government be pleased to state who were responsible for this mistake ?

(*f*) Is it a fact that a professional tax was levied for the year 1924-25 as well ?

(*g*) Will the Government be pleased to state the number of people who were made to pay this tax ?

(*h*) Is it a fact that a large number of objections were raised by the people who were made to pay the tax on the ground that their income was very highly assessed and they were not liable to pay under the rules ?

(*j*) Will the Government be pleased to state what method of assessment was adopted by the assessor ?

(*k*) Is it a fact that in a large number of cases the objections were upheld and the tax was remitted ?

(*l*) Will the Government be pleased to state the number of persons in each tahsil whose objections were upheld ?

(*m*) Is the Government aware that the objectors had to spend a large amount of money in going over to Hoshiarpur town from their villages and thus were put to additional inconvenience and expenses ?

(*n*) Will the Government be pleased to direct the district board and the Deputy Commissioner that in future either the tax should be wholly remitted or a better method of assessment should be adopted ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*a*) Yes.

(*b*) No. Only Rs. 12,230-14-0 were recovered out of a demand of Rs. 42,790-8-0 in the Hoshiarpur tahsil for the years 19.2-23, 1923-24 and 1924-25. This sum will be refunded in due course. No other recoveries were made.

(*c*) In the circumstances explained above there would appear to have been no hardship.

[Hon. R. S. Ch. Chhotu Ram.]

(d) No. The assessment made related to nine months of the year 1922-23 and to subsequent financial years. The amounts payable from 1922-23 to 1924-25 inclusive were remitted by Government on the recommendation of the District Board.

(e) Presumably the honourable member does not refer to the remission of the tax as a mistake. If he refers to the delay in assessments and to the decision to collect the tax in arrears, the responsibility is that of the District Board of Hoshiarpur.

(f) No. It was assessed for 1924-25 but not collected. See (b) and (d) above.

(g) For 1924-25 none. The tax is payable from the current year and collections have only just commenced.

(h) Yes.

(j) Under the rules the tax is assessed by committees appointed by the District Board. The original assessments were carried out by three retired Tahsildars re-employed by the Board, in accordance with certain principles which had proved successful in the Jullundur district.

(k) No, although in many cases the orders of the assessing officers were varied by the committees.

(l) Information is not readily available but will be collected, if the honourable member so desires in respect of any particular year.

(m) Yes. Assessees were prepared on principle to spend three or four times the amount of their tax in making objections.

(n) Government are not prepared to suggest the abolition of the tax in future. As it is assessed in Hoshiarpur on the same lines as in other districts there seems to be no reason to interfere with the method of assessment.

PROFESSIONAL TAX-PAYERS AS ELECTORS OF THE DISTRICT BOARDS.

2811. Pandit Nanak Chand: (a) Will the Government be pleased to state what persons who pay the professional tax are qualified to vote at the elections for the membership of the district board in the Hoshiarpur district?

(b) What is the least amount which a person is to pay as professional tax to qualify himself as a voter for the membership of the district board?

(c) Will the Government issue instructions to the proper authorities to record all these persons who are qualified under the rules as voters at the time of preparing the lists?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) Any person who pays four rupees or more as professional tax, provided he is not otherwise disqualified under the rules.

(b) Four rupees.

(c) Rules already exist. The issue of further instructions is not considered necessary.

ROADS IN THE HOSHIARPUR DISTRICT.

2812. Pandit Nanak Chand: (a) Is Government aware that the roads from Garhshanker to Ballachaur and from Nawanshahr to Ballachaur are *kachha* roads?

(*b*) Is it a fact that the people of the Hoshiarpur district have requested the Deputy Commissioner on various occasions to take steps to make these roads *pakka* roads?

(*c*) If so, will the Government please state what action has been taken on these requests?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (*a*) Yes.

(*b*) No.

(*c*) Does not arise.

RELIEF TO THE ZAMINDARS WHOSE LANDS HAVE BEEN WASHED AWAY.

2813. Pandit Nanak Chand: (*a*) Will the Government be pleased to give the names of those villagers in the Hoshiarpur district whose lands have been totally or partially washed away or destroyed by—

(*i*) the action of the river Beas;

(*ii*) the action of the river Sutlej; and

(*iii*) the action of the Swan in the Una tahsil?

(*b*) What measures have the Government adopted to relieve the misery of these zamindars who have no means of livelihood on account of their lands having been totally washed away by the action of these rivers and the Swan in the Una tahsil?

The Honourable Mian Sir Fazl-i-Husain: (*a*) The honourable member is referred to the answer given to Council question No. 2278.*

(*b*) The claims of persons who have lost land by Cho Nalla river action in the Hoshiarpur and all other districts will be considered in selecting colonists for the Nili Bar Colony.

BHAI MANGAL SINGH OF MUKANDPUR.

2814. Sardar Jodh Singh: (*a*) Is it a fact that the weight of Bhai Mangal Singh of Mukandpur, district Ludhiana, who is serving his sentence in Multan Central Jail, has been greatly reduced?

(*b*) Is it a fact that this reduction is due to some trouble in his stomach or other digestive organs and the water of the place not suiting him?

(*c*) If so, has the Government considered the advisability of transferring him from the Multan Jail to some other healthier jail?

The Honourable Sir John Maynard: (*a*) No. On admission to the Multan Central Jail on 3rd February 1924 Bhai Mangal Singh's weight was 136 lbs. He has been in hospital since 14th November 1925. His weight was then 108 lbs. owing to anæmia which resulted from bleeding piles. He has gradually increased in weight under treatment and on 23rd February 1926 weighed 131 lbs. He is progressing well.

(*b*) No.

(*c*) Does not arise. The prisoner has himself expressed a wish not to be transferred from the Multan Central Jail.

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*Page 152 *ante*.

ALLEGED ILL-TREATMENT OF CERTAIN SIKH LADIES BY THE POLICE.

2815. Sardar Dhira Singh: (a) Is the Government aware that two Sikh ladies, *viz.*, Rajkaur and Tejkaur, belonging to Chak No. 239-G. B., tahsil Jaranwala, district Lyallpur, were recently arrested in connection with a bomb case and were unlawfully kept under custody by the police in the police lines for one and a half months at Lyallpur?

(b) Is Government also aware that Sufdar Ali, Police Inspector (officiating), got food for these ladies prepared by a Muhammadan cook, that they refused to take this food and remained on hunger-strike for several days?

(c) Is the Government aware that while in custody these ladies were forced to make such statements as the police wanted but after their release they submitted to the Deputy Commissioner that those statements were wrong and were made only under police pressure?

(d) If the answers to (a), (b) and (c) are in the affirmative, will the Government be pleased to state what action the Government proposes to take or has actually taken in this matter and against the police?

The Honourable Sir John Maynard: It is understood that the question refers to two women, Barkate and Hasso, who have left their husbands and adopted other names. They are witnesses in a case which is *sub judice* and any representations should be addressed to the Court concerned.

EMPLOYMENT OF HAKIMS AND VAIDS BY LOCAL BODIES.

2816. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to lay on the table a statement showing—

(a) the number of Hakims or Vaids employed by each of the district boards or municipal committees in the province;

(b) the qualifications and emoluments of such Hakims or Vaids; and

(c) whether the appointments were made during 1924 or 1925?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

HONORARY EXCISE OFFICERS.

2817. Maulvi Mazhar Ali, Azhar: (a) Will the Government kindly state the names and designation of the honorary Excise officers in the province, giving the date of appointment in each case, the duties entrusted to each and the limits of their jurisdiction?

(b) Has the Government found the system of appointing honorary Excise officers helpful and have any such officers performed their duties with credit?

The Honourable Sardar Jogendra Singh: (a) Mr. W. M. Hume, of the Lahore Temperance Society, is the only person who has been appointed an honorary Excise officer. He was given powers of an Excise officer, 1st class, within the limits of the Lahore municipality.

(b) So far, it does not seem that sufficient opportunity has been given to the honorary officer to show if he can usefully exercise his powers.

SALE OF LIQUID DOSES OF BHANG.

2818. **Maulvi Mazhar Ali, Azhar:** (*a*) Will the Government be pleased to state when it allowed the sale of liquid doses of *bhang* and for what reasons?

(*b*) Is Government aware that the vend of liquid *bhang* is a greater temptation than the supply of dry *bhang*?

(*c*) Has the Government reconsidered the question of the sale of liquid *bhang*? If not, will it do so now?

The Honourable Sardar Jogendra Singh: (*a*) The sale of prepared *bhang*, in which term is included liquid *bhang*, has never been prohibited by Government.

(*b*) No.

(*c*) Does not arise.

DISTRICT BOARD ENGINEERS.

2819. **Maulvi Mazhar Ali, Azhar:** Will the Government be pleased to state which district boards are employing District Engineers at present?

The Honourable Rai Sahib Chaudhri Chhotu Ram: All district boards with the exception of those of Muzaffargarh and Simla are employing District Engineers.

CATTLE MORTALITY.

2820. **Maulvi Mazhar Ali, Azhar:** Will the Government please state the number of deaths of different kinds of cattle in each zail or police station of the Gurdaspur district, giving also the causes of death and the number of deaths from each cause during the years 1924 and 1925?

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

WATERLOGGING OF KAHNUWAN CHHAMB AREA.

2821. **Maulvi Mazhar Ali, Azhar:** (*a*) Is it a fact that the Kahnuwan Chhamb area in the Gurdaspur tahsil of the Gurdaspur district is overflooded and waterlogged by—

(*i*) the floods from the river Beas during the rainy season on one side; and

(*ii*) percolation from the Upper Bari Doab Canal which flows on the other side?

(*b*) Is it a fact that a seepage drain was constructed by the Canal Department from near Talibpur Pandori to drain off the percolated water? If so, will the Government please state—

(*i*) when the drain was first constructed;

(*ii*) whether the drain has been kept in good repair since its construction? If so, what amount was spent on its upkeep during the years 1920 to 1925? If not, will the Government kindly state the reasons why it was neglected?

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

GOVERNMENT'S DEMANDS FOR GRANTS.

IRRIGATION GRANT (CONCLUDED).

Mr. President: The Council will now resume discussion on the demand for Irrigation.

Rana Firoz ud-Din Khan: Sir, I rise to a point of order. As announced in a press *communiqué* of February the 20th, issued under the order of His Excellency the Governor, three days were allotted for the consideration of demands Nos. 1 to 9. Three days have passed and my submission is that demands 7, 8 and 9 with the proposed amendments cannot be put or discussed now.

Mr. President: Will the honourable member please refer me to the rule under which the demands ought to be put to-day?

Rana Firoz-ud-Din Khan: My contention is not that the demands ought to be put to-day. It is that demands Nos. 7, 8 and 9 cannot be put to-day under rule 29.

Mr. President: It appears that rules 26 and 29 have not been strictly complied with. Under rule 29 (2) His Excellency the Governor is empowered to allot not more than two days to the discussion of any one demand. It appears that it is not, according to these rules, in the power of His Excellency the Governor to allot more than two days, while I understand that "not more than three days" have been allotted to a certain number of demands. For the discussion of one demand more than two days could not have been allotted under this rule. It would further appear from a perusal of rule 26 that it is quite within the discretion of the Finance Member to include in one demand the grants of various departments, but under paragraph (2) "each demand shall contain a statement of the total grant proposed". This apparently has not been done. If this were done then any number of grants could have been included in one demand and it would have been open to His Excellency under rule 29 to allot not more than two days for the discussion of that demand.

Again the last sentence of rule 29 (2) is as follows :—

> " * * * As soon as the maximum limit of time for discussion is reached, the President shall forthwith put every question necessary to dispose of the demand under discussion."

The only demand under discussion now is the demand No. 6, that is, the demand for Irrigation. His Excellency the Governor has not been pleased to allot any definite time for the discussion of this demand. So the demands as they stand will be discussed *seriatim* and guillotine will be applied under clause 3 of rule 29 on the last day, that is, the eighth day.

Rana Firoz-ud-Din Khan: Even under this rule demand No. 6 cannot be further discussed to-day.

Mr. President: Apparently my ruling has not been clearly understood or I have failed to make it clear. The press *communiqué* issued under the orders of His Excellency the Governor runs as follows :—

> "In accordance with the provisions of the Punjab Legislative Council Rules, His Excellency the Governor has been pleased to allot eight days for the discussion of the Government's demands for grants under the various heads of the Budget as follows :—"

Then follows a list of thirty demands. Now these thirty demands will be discussed *seriatim* and the guillotine will be applied on the last day, that is, the eighth day. There is no occasion for the applying of guillotine to-day, because, as already explained, His Excellency has not been pleased to allot any definite time for the discussion of any one demand.

Rana Firoz-ud-Din Khan: His Excellency the Governor has allotted three days for the discussion of demands 1 to 9. We had been discussing yesterday only demand No. 6 . . . . .

Mr. President: Order, order. I have already explained that the allotment of three days for the discussion of a number of demands is not warranted by rule 29. Therefore all the thirty demands will be discussed *seriatim* and guillotine will be applied on the eighth day.

Chaudhri Afzal Haq: May I have a piece of information, Sir? I should like to know whether the Government consulted the whips of the different parties when they grouped the different demands under the major head in the order in which they have been put in the press *communiqué*?

Mr. President: I think we have got set rules on the subject. The power of His Excellency the Governor is absolute. He has to allot a number of days for the discussion of demands and it is the Finance Member who has to arrange the demands and present the budget in the form of a statement. It is not the practice of this Council or of any other provincial Council in India so far as I am aware that any member of the Council should be consulted as to the order or form in which the demands should be placed before the Council. I think His Excellency the Governor and the Finance Department have absolute powers under the rules in this matter

Chaudhri Afzal Haq: I may be allowed to refer to the recent debate in the Legislative Assembly and the ruling of the Honourable President of the Assembly. He has admitted that the Finance Member when arranging the order of demands under the major heads should consult the whips at least of all the parties.

Mr. President: The question of allotment of time for the discussion of demands, I have already explained, is entirely and absolutely in the power of His Excellency the Governor. As regards the arrangement of the demands, under rule 26, it is left to the discretion of the Honourable the Finance Member. I am not aware of the ruling of the President of the Legislative Assembly to which reference has been made by the honourable member. I shall, however, look into the parliamentary procedure on the point and communicate my view to the Council hereafter.

Sardar Tara Singh [Ferozepore (Sikh), Rural]: Sir, I beg to move—

"That the total grant be reduced by Rs. 1."

The motion was lost.

Maulvi Mazhar Ali, Azhar [East and West Central Towns (Muhammadan), Urban] (Urdu): Sir, I beg to move—

"That the total grant be reduced by Rs. 1."

Sir, my object in moving this amendment is to draw the attention of the Government to the question of opening the Shahpur Branch Canal. I admit that the circumstances which led me to give notice of this amendment have not ripened as yet. Last year the Government asked for a sum of Rs. 20,000 as

[M. Mazhar Ali, Azhar.]

expenses towards the construction of the Branch and an amendment in connection with the expenditure of this sum was given notice of, whereupon the Government considered it expedient to constitute a committee to consider the *pros* and *cons* of this question. A year has passed by but we do not know the decision arrived at by the Government. In the last session we heard that the committee had not up till then completed its enquiries. In January last we came to know that the committee is going to expedite its work. I have also put a question asking the Government to lay the report submitted by the committee on the table and in reply to this the Honourable Member for Revenue has remarked that the report cannot be laid on the table until and unless the Government has thoroughly considered it. Sir, the Government is of course entitled to consider the report and take proper steps in connection with that. I do not urge the Government to decide the question one way or the other without considering the report. But, Sir, what I want to know is this whether or not the Government has arrived on any final dicision since the question was asked. If not, I would ask it to try to decide this question one way or the other without any further delay, for the people of the *ilaqa* are in great suspense. I have heard a few rumours in this connection but I cannot say what the real state of affairs is. Sir, keeping in view the welfare of those people who live in the *ilaqa* where the Government and private inundation canals exist, I would advise the Government to expedite the opening of the Shahpur Branch Canal. As the report has not been published by the Government I am not in a position to lay my point of view before the Council. Therefore for the present I simply move the amendment in order to bring home to the Government the grievances of the people of that *ilaqa*. Previously the Government after hearing the misfortunes of those people had decided to open the Shahpur Branch Canal but I cannot say what stands now in its way? Perhaps it is the question of waterlogging which has occupied the attention of the Government for such a long time. They perhaps think that there is a serious danger of waterlogging and a large area is likely to be affected by it if the Shahpur Branch Canal is opened. I cannot understand why the Government fears waterlogging in this particular case when it has been carrying on many similar schemes without any such fear. Whenever a scheme is put before this Council by the Government it has always been urged that the advice of the Government officials is most useful and reliable because naturally they are placed in a better position to give sound advice. In connection with the opening of the Shahpur Branch Canal my honourable friend Mr. Sangster has clearly said that there would be absolutely no danger of waterlogging. If there is any, it would be on account of the inundation canals. He further said that by opening this canal the danger of waterlogging would be rather removed a little. Moreover, Sir, none of the officers of the Irrigation Department has said anything contrary to what has been said by my honourable friend Mr. Sangster. Under these circumstances it is not expedient for the Government to delay this project any longer. If, with the opening of this canal, it becomes indispensable to acquire the private inundation canals and compensate the owners thereof, the Government should not hesitate to do that for the general good of the people of that *ilaqa*. Leaving aside the question of acquiring the private inundation canals and compensating the owners thereof, the Government should not hesitate any longer to do what is most likely to affect favourably a large part of the population of the *ilaqa*. The drought of 1918, on account of which there was very little water

left in the inundation canals, has proved that the opening of the canal is the pressing need of the people of that *ilaqa*. At that time the people requested the Government to open this canal. Again in 1920 and 1921 the people represented to the Government the necessity of this canal.

Sir, the committee has not completed its work as soon as it ought to have done. The work was simple and it could not require such a long time. The work, whatever it was, is said to have been done by the committee in not more than a week's time. Let the Government clear this point and say what it is going to do. It should be made known to the public and especially to the people of the *ilaqa* whether the Government is going to open the canal at all. If the Government is not satisfied with the report of this committee, let it appoint another, but all the same I would request it to expedite the work. The Government should also say if there is any serious danger of waterlogging. The Government should immediately decide one way or the other. This much I submit for the present and if something is said on behalf of the Goverement, I may say more in reply to that.

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

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General) (Urdu) : Sir, as a member of the committee that was appointed to go into this question, I have been also taking some interest in the proposals now before us. I could attend only one of its meetings, but in that meeting the question could not for some reasons or other be decided. I was also informed that a certain sum of money was provided in the budget last year, but it appears that no steps were taken to carry out that proposal and the money so provided was never spent. The honourable mover of the amendment has taken this opportunity to agitate the same matter again. I am glad that he has done so and if his speech were to be analysed, it may be said that it centres round two main points. He first referred to an enquiry into the matter and then he laid great stress on the necessity of opening the Shahpur Branch Canal at an early date. I would have said that the stage of enquiry had passed, but unfortunately we have been so far kept in the dark. We do not know how the matters stand. I once heard that another committee was appointed to investigate if any compensation is due and to suggest means as to how it should be given. I cannot say what means or methods that committee suggested.

Then I also heard something about waterlogging. I think that objections were raised and it was suggested that there was a fear of waterlogging on the opening of Shahpur Branch Canal. If I do not mistake it was also proposed to appoint one or two Engineers who should go into this question and ascertain as to how far that fear was justified. These are however, all conjectures and, as I have said before, we have no definite knowledge of anything. And therefore if the people of the Shahpur district and their representative now, after waiting in vain for a long time, ask the Government for a fuller information about this question, I should say that their demand is quite justified. I might also say that the Government has taken long and I should say longer than it was necessary to decide this important question. There can be only one hitch in the opening of the Shahpur Branch Canal and that is about the compensation due to the owners of private canals. If the Government is really anxious to help the people that

[D. B. Raja Narendra Nath.]

difficulty can be got over. If the Government is of opinion that compensation would amount to a fairly large sum, which is not worth while to pay, it would be well advised to grant to the owners of private canals right to collect *abiana* for a reasonable number of years. That I think would be the best solution of the difficulty and is quite feasible. Anyhow the opening of Shahpur Branch should not be delayed any further. If a report is to be called about the question of waterlogging, it should be done expeditiously. The people of that *ilaqa* are justly anxious to know their fate and if the Government were to tell them what it intends to do, I think that would not be too much to expect from it.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] (Urdu) : Sir, the district of Shahpur is as unfortunate as is the district of Dera Ghazi Khan in this respect because in the latter district also the tumandars take one-fourth of the produce from cultivators. Further the right of the tumandars is said to be a sacred right perhaps because they are said to have rendered in the past some political services to the Government and therefore their right cannot be touched or encroached upon. They go on troubling the cultivators even after the crops are cut and removed. They are afraid of no law and no pleader is allowed to defend the interests of the tillers of soil. But that is by the way. What I wish to impress upon the Government is that the zamindars of the district of Shahpur are anxiously awaiting the opening of Shahpur Branch Canal which, I may say, is almost complete. It was dug long ago and much of public money, if we can call the money in the coffers of the Government as public money, has already been spent. Nothing remains to be done further except that the course of the water is to be diverted into that channel. Everything else is complete and the need of the zamindars of that district for the said canal is also known to be great. Under such circumstances, I wonder why the Government and Sir John Maynard, who is known to have never distinguished between the rich and the poor, are sitting quietly over the matter..... ...

Maulvi Mazhar Ali, Azhar : You also voted once against this proposal.

Sayad Muhammad Husain (continued in Urdu) : I admit that and I am guilty to that extent. To briefly state the facts, they are that in the Shahpur district the magnates, as Sir Gopal Das would call them, had constructed and opened private canals in the past at their own cost presumably to irrigate their own lands. Finding that water in those canals was in excess of their requirements, they began to give the same to other minor proprietors who had no canals of their own and in lieu thereof charged them one-fourth of the produce from their lands. That practice is followed to the present day and one-fourth of the produce is taken away by these magnates by way of *abiana*, which I may say, Sir, is too much. I say too much because that is the rate that we charge from our cultivators by way of our proprietary right. Under this circumstance and in face of the fact that each class of persons has a right to be treated equally, I ask, is it not fair and just that the people of Shahpur district should be at once provided with this facility of irrigation ? Is it not a reasonable demand that the Shahpur Branch Canal be opened at once and particularly so when it is nearly complete already as I have said before ? The War is also over since long for which the opening of this canal was postponed. I feel ashamed when I am reminded that I had once voted against the opening of this canal. I

realise that in doing so I had done a great injury to the poor zamindars of this district. I again say that there is now no difficulty in the opening of the canal. If I do not mistake last year it was promised that early steps would be taken to expedite the matter and on that understanding the resolution to this effect was withdrawn. The Honourable the Revenue Member was also then interested in the matter because perhaps he was at that time representing the popular side of the Government. I say if the Government and its members have any conscience and if they are true to their professions that they treat all alike, then they must not mind ordinary objections and help the poor zamindars of the Shahpur District. The Maliks can be compensated as was suggested by the honourable member representing the landholders. Moreover, this is not a question between the Hindus and Muhammadans on the basis of which many of our reasonable requests have been rejected before.....

Pandit Nanak Chand : You have realised it after all.

Sayad Muhammad Husain : Through you, Sir, I would particularly draw the attention of Pandit Nanak Chand to this fact who is always eloquent on communal questions (laughter). He is always fighting that the Mussalmans are getting everything and that the Hindus are being ignored. He perhaps does not know that it is the Government with which lies everything, whether it is a question of services or of elections. It lies with the Government to encourage the Hindus or Muhammadans. We have absolutely no hand in the matter.

Before I sit down I would appeal and through you, Sir, to Malik Firoz Khan, Noon, that he should not cut the throats of his brethren.....

Malik Firoz Khan, Noon : Sir, I rise to a point of order. The honourable member must withdraw this remark against me that I am cutting the throats of my brethren.

Mr President : If the honourable member made that remark, I hope he will have no objection to withdrawing it.

Sayad Muhammad Husain : I am sorry, Sir, I withdraw my words. What I wanted to drive at was that he should show mercy to his brethren. I wanted to appeal to him that he should take some similar step as was recently taken by the English landlords to uplift their tenants even if he were to sacrifice his own interest. I hope my appeal will not be lost upon him.

With these words I heartily support the amendment.

Malik Firoz Khan, Noon [Shahpur East (Muhammadan), Rural] : Sir, I had no wish to speak on this resolution, but the most vociferous speech that has been made by the honourable member who lives 400 miles away from the district about which he was talking has forced me to say a few words. He has admitted that he himself at a time was weak-minded, that he killed his own conscience and voted against the demand. But I can say about myself that I have never killed my conscience for the sake of anybody. No one knows that he may change again to-morrow. But this is by the way.

As far as the Maliks are concerned, they do not stand in the way of the opening of the Shahpur Branch Canal. The question came into existence at a time when Government were thinking of constructing the Lower Jhelum and the Upper Jhelum Canals, about 1896-97. It was considered that Government

[Malik Firoz Khan, Noon.]

would take the canals owned by private individuals and also the inundation canals. That was the proposal made about the year 1896-97. With that object in view Government started to make an enquiry. As I have already said Government wanted to acquire the private canals belonging to the Maliks and it appointed an acquisition officer to estimate the compensation which in justice Government would have to pay to the owners of those private canals. Well, estimates were made, and Government started digging the canal. A sum of sixteen lakhs has been spent on the canal which is practically ready. It only means an expenditure of a few thousands on opening the bunds and the canal will start. But when Government officers estimated the compensation that would have to be paid to the Maliks, Government considered it so high that they thought it would not be financially sound to acquire the private canals. Government thought that it would not be paying at that time to open the Shahpur Branch Canal because it would only irrigate areas which were already under irrigation. Government thought that they would not receive much in the way of water-rates and that is the reason why it was postponed. The question has again been brought forward. Government, as far as I know, have not the slightest wish to down the Maliks or to down anybody else in the province. If the Maliks have a claim against Government, Government will consider their claims as they should in justice. The whole question is that the Shahpur Branch has been taken along the high strip of land towards the south of the river, with the result that all the land lying south of the alignment of Shahpur is ten feet below the bottom of that canal, with the result that there is a very serious danger of waterlogging appearing in the place. Already in the Lower Jhelum Canal Colony the sub-soil water has risen during the last twenty years at the rate of one foot per year, with the result that the water which was 30 feet below the soil twenty years ago, rises in the months of July and August so high that it can be taken out with one's hands, with the result that there is a serious danger of waterlogging. If there were no danger of waterlogging, there would be no objection to the opening of the Shahpur Branch Canal.

Sayad Muhammad Husain : Put an end to all canals then for fear of water-logging.

Malik Firoz Khan, Noon : The water-logging danger is a very serious danger and I know that in a particular locality on the Lower Jhelum Canal the Chief Engineer has decided to convert a perennial channel into a six-monthly channel. It is one of the remedies laid down in the rules that perennial channels should be turned into six-monthly channels where there is this danger of waterlogging. Therefore we do not stand in the way of the opening of the Shahpur Branch.

Then my learned friends ask, why do we charge water-rates in kind and not in money ? The difficulty is that there is no system by which Maliks could charge water-rates in cash. They would certainly give up charging in kind, but it is absolutely impossible to collect money. If any system can be found the Maliks will certainly charge in cash. If you work out the price of commodities on payment of water-rates, you will find that they will work out to be not more than what Government receives by water-rates on their inundation canals. I wish to assure the House and I wish to assure the public that it is not the Maliks who stand in the way of the Shahpur Branch being opened. It is a matter for Government to decide. If they want to open it, we cannot stop them. I represent the canal-owning public and I represent the non-canal-owning public, and I admit that they would prefer the Shahpur Canal to the present system of irrigation.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I am sorry that an omission to make provision for the Shahpur Branch in the next year's budget has occasioned this discussion. Provision was made in the current year's budget for spending some money on opening this Branch. But there were difficulties in the way of doing it, difficulties not of a personal nature but of an administrative nature. I must state, Sir, that in dealing with questions of public importance, specially when these matters relate to the finances of the Province, Government cannot but be absolutely impartial between man and man and absolutely careful as to the best interests of the Province. It was on account of Government's desire to do the best for the Province that it was found necessary to make exhaustive enquiries as to the possibility of solving this problem. A committee, an absolutely impartial committee, was appointed. Its report has been received.

Sayad Muhammad Husain : Is it confidential?

The Honourable Mian Sir Fazl-i-Husain : This report, like any other report, is confidential till it is published, and if the honourable member thinks that he will be promoting the cause of those who want to open the canal, by giving early publicity to the report, I am afraid he is misjudging, because Government has yet to arrive at a decision. The report is before Government. The mere fact of publishing the report will not give it any more weight so far as the judgment of Government is concerned. Therefore I see really no point in insisting or suggesting that the report be made public. As a matter of fact if I felt that this House as a whole desired that publicity be given to that report, although I cannot conceive any reason for their desire that it should be published, I might consider the advisability of publishing it. But to my mind the question of publishing a report or not is altogether irrelevant to the decision of this difficult, question. Should we or should we not open this canal? On the face of it, Sir, it would appear as has been said by the honourable member opposite we do not want to deprive the owners of private canals of such rights as they possess. We must compensate them. It is a very simple statement of an unexceptionable principle, but difficulties arise when you try to put it into practice. Claims are put forward which, if not the Administrative, the Finance Department might consider exorbitant. If the claims are considered to be exorbitant, then I put it to the House, would it not be wise to open the canal? However, as I say all these matters have been under consideration. We have a report advising us what principles should be adopted in calculating compensation in case Government decides to compensate the owners. I hope I have made the point quite clear to the Council. We have a report which recommends certain principles to be adopted in case Government decides to compensate the owners of private canals. Having obtained the principle the figure of actual compensation can be worked out within a week or so. That aspect of the case is now almost ready for decision in case a decision is to be arrived at.

The second point, which is of considerable importance, is the question of water-logging. We are at present perhaps very well off in the matter of our irrigation, but if we look ahead, there is the danger, to my mind, of a very serious nature. The water level in these canal-irrigated areas is rising. Lands have already been thrown out of cultivation. Claims for compensations are being put forward and as time goes on will be pressed. It is

3 P.M.

[Hon. Mian Sir Fazl-i-Husain.]

for consideration whether when we are trying to remedy this evil we should not in starting new canals see how far the dangers of the evils already referred to are real and to what extent and take into account the extent of that probable evil, not the possible evil, in arriving at a decision. I can assure the Council that in arriving at a decision Government will act without fear or favour. It will take no account of the position of the parties to this issue. As a matter of fact, when it is from the provincial revenues that compensation has to be paid, the interests of the Government and of the Council are identical. I see no reason whatsoever for an impression being created in the mind of any member that Government in this matter may act in a way different from the way that commends itself to him, provided that he does not permit himself to be influenced by private considerations. When I state that the matter is under consideration of Government, I mean that Government is anxious to arrive at an early decision. The committee, which has been appointed to report specially with reference to waterlogging will be asked to expedite its report. I will see that the matter is expedited and when we are in receipt of the report we will certainly do our best to settle this vexed question. If we decide upon opening this canal it will be easy for us to put in a supplementary demand at the next Council when it meets in the month of June. (Hear, hear and cheers).

Maulvi Mazhar Ali Azhar :- Under the circumstances explained by the honourable the Revenue Member, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Mr. President : The question is—

"That a sum not exceeding Rs. 3,13,47,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending 31st of March 1927 in respect of Irrigation."

The motion was carried.

DEBT SERVICES GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a sum not exceeding Rs. 20,06,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Debt Services."

Mr. President : The question is—

"That a sum not exceeding Rs. 20,06,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Debt Services."

Sardar Jodh Singh (Sikh, Urban) : Sir, I should like to ask for a piece of information. When I look at the list of debts I find that nearly in all cases sinking funds have been provided for except in the case of a debt of 44 lakhs which bears an interest of about 5 per cent. May I ask the Honourable the Finance Member why the sum of 20 lakhs which it is proposed to lend to the Government of India should not be used to liquidate this debt? If I understood rightly the speech of the Honourable the Finance Member the other day it was said that he will be putting all this money with the Government of India at a rate of 3½ per cent. for a certain number of months. Will it not be more profitable to liquidate this small debt out of the surplus that we have got now?

Mr. Miles Irving (Finance Secretary) : Sir, I think the honourable member is under an apprehension about the money that is put out at interest for eight months at a lower rate of interest. The Punjab Government has not as a matter of fact quite decided in the matter of investing these 20 lakhs. We propose asking for the sanction of the Government of India to allow it to be invested in the Famine Insurance Fund which bears an interest higher than on the 44 lakhs referred to by the honourable member. If the Government of India is not prepared to accept that suggestion, it is proposed as a second alternative to ask the Government of India to allow us to pay off this form of debt. I am thankful for the suggestion of the honourable member which will certainly be considered.

Mr. President : The question is—

"That a sum not exceeding Rs. 20,06,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March 1927 in respect of Debt Services."

The motion was carried.

GENERAL ADMINISTRATION (RESERVED) GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a sum not exceeding Rs. 88,42,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March 1927 in respect of General Administration (Reserved)."

Mr. President : The question is—

"That a sum not exceeding Rs. 88,42,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March 1927 in respect of General Administration (Reserved)."

Sardar Jodh Singh (Sikh, Urban) : Sir I beg to move—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 1,40,400—Temporary Extra Assistant Commissioners."

The object of my moving this cut, Sir, is once more to urge upon the Government the advisability of withdrawing the case against the Akali leaders that are being tried now in the Lahore Central Jail. Last time when I moved a cut of a similar kind the whole House supported me but the Government stood adamant to our entreaties. Now by the release of 22 members who have made a statement in the court the situation has changed so much that the Government, I think, will be well advised to release the rest of them. Originally when these leaders were challaned they were charged with sedition and conspiracy against the King and under Section 17 (2) of the Act of 1908. The statement that has been made in court simply says that they will work the Gurdwara Act and will not resort to any direct action to change the management of the Gurdwaras in the future. Government is apparently satisfied with this statement and has withdrawn the case. This shows that the allegations of sedition and waging war against the King could, in the opinion of the Government, be easily waived under such circumstances. But in the case of the rest those allegations are still there. The first point therefore that I urge upon the Government is that they should instruct their representatives in the court to modify the charges to what they really think they ought to be. If they are satisfied in the case of some persons with the assertion that they will work the Gurdwara Act and will not take direct action against the management of the Gurdwaras,

[Sardar Jodh Singh.)

then surely the allegation that ought to be pressed on behalf of the Government should be that they have taken possession of the Gurdwaras by direct action and the allegation should stop at that. Why then the charges of sedition and conspiracy against the King should be made, a layman like myself cannot understand. So, Sir, if they alter the charges in the manner suggested I think there is every likelihood of the case being finished very soon and the public money also will not be wasted. The second point is, after all what will the Government gain. Those people who are being tried have registered themselves under the Gurdwaras Act and are prepared to work it. They have not said so in so many words, but by their action in registering themselves as voters, they have shown to the world that they are prepared to work the Act. Why should the Government insist upon a formal declaration? I cannot understand. The Government have got practically everything they want.

There is one more point of view to be urged. Supposing the case is dragged on for another five months and supposing another lakh of rupees of public money is spent, and supposing afterwards some of them come forward and say, we will work out the Act, as they will work it out because they have registered themselves as voters, supposing they make a formal declaration, then, of course, the Government will withdraw the case as they have withdrawn in the case of other people, but this would mean a waste of a lot of public money. Seeing that the Government has practically gained all they want, why should they not release all these Akali leaders by withdrawing the case at the present stage and thus save a good deal of public money? In view of all these considerations, I hope the House will support me in asking the Government to withdraw the case against these Akali leaders, fifteen in number, who are still left behind.

Mr. President: Grant under discussion, motion moved:

"That the grant be reduced by Re. 1 with respect to the item of Rs. 1,40,400—Temporary Extra Assistant Commissioners."

The question is that that motion be adopted.

Chaudhri Sahib Dad Khan: [Gurgaon-*cum*-Hisar (Muhammadan), Rural]: Sir, so far as appointments as Extra Assistant Commissioners are concerned, the rights of Muslims of the Ambala division have been overlooked up to the present time. So far as I know there is only one Muhammadan Extra Assistant Commissioner belonging to that division. There are many capable tahsildars, naib-tahsildars whose nominations are sent up, but.....

Mr. President: The honourable member is making an irrelevant speech.

Malik Firoz Khan, Noon [Shahpur East (Muhammadan) Rural]: Sir, only fifteen Akali leaders are all that are now left in the jail in this famous trial. I see in the budget, provision of a lakh of rupees for special prosecutors. I do not know whether that provision is for the prosecution of these 15 Akali leaders.

The Honourable Sir John Maynard: No, it is for other cases also.

Malik Firoz Khan, Noon: Whatever it is, I feel from the general peaceful atmosphere point of view that something should be done to withdraw all the cases against these Akali leaders. We have naturally to see who is the person that can put a stop to this situation. Naturally there are only two

persons who can do it. The one is the Akali leaders themselves who are being tried in the Fort and the second is the Government itself. If the Government should see its way to let these Akali leaders out without taking an undertaking from them, that will be a very good thing. That is a thing which we all devoutly wish for and welcome, and this will pave the way for the peace of the province. If the Government should be *ziddi* on that point, I would appeal to the honourable members of this Council belonging to the Sikh faith to prevail upon their brethren to give the necessary undertaking as required by Government. They should ask these Akali leaders who are still in jail to be as reasonable as some of the more important leaders have been in giving the necessary undertaking and in coming out of the jail. If the able Sardar Bahadur Sardar Mehtab Singh can condescend to give an undertaking and come out of the jail, I feel certainly that smaller fries should more willingly give and come out of the jails. If the akalis are *ziddi* and if the Government also is *ziddi*. I do not know what solution can be suggested for the disentanglement of this problem. If there is any solution suggested by any honourable memter of this House, I shall be the first to support it. I again wish to make clear to the House that it is my wish and it is the wish of everybody that an end should be made of this trial of Akali leaders and they should be allowed to come out of the jail.

Rana Firoz-ud-din Khan [South-East Towns (Muhammadan), Urban] (Urdu) : Sir, I would not take long to consider the question under consideration. There are two aspects of this question. First the trial of the case and the charges incurred by the Government in this connection. My honourable friend Sardar Jodh Singh has clearly pointed out that the charges of conspiracy and sedition framed against the Sikh leaders have lost their significance and legal force when most of the prisoners have been released.

Mr. President : The honourable member is now referring to a matter of fact on which a judicial decision is pending and this he cannot do under Standing Order 30 (2) (*viii*).

Rana Firoz-ud-Din Khan : Sir I do not say whether the charges were rightly or wrongly framed ; my point is that when most of the accused of the Sikh Leaders Case have been released the charges framed against them have lost their significance.

Mr. President : The honourable member is again referring to matters pending decision in a court of law.

Rana Firoz-ud-Din Khan : I leave it Sir, and bow to your ruling (then continued in Urdu) : The next point which I would urge is about the undertaking which is required from the Sikh prisoners. His Excellency at first required from the Sikh prisoners an undertaking in writing to the effect that after their release, they would not take to direct action and would work out the Gurdwara Act. The Sikh prisoners were rather reluctant to give such an undertaking in writing. The Government then advanced a step further and removed the condition of writing. Thereupon Sardar Bahadur Mehtab Singh and his colleagues were released on a verbal undertaking. At first the Government required an undertaking in writing but it relaxed its demand further and later on was satisfied with a verbal undertaking. Sir, the few prisoners who are still in jail have practically given that undertaking by having registered their names as voters under the Gurdwara Act and so virtually there is no question of an undertaking, which has been given, the only question is the form in which an undertaking

[Rana Firoz-ud-Din Khan.]

is to be given, Government should not insist on form and formality. Now again the British statesmanship requires that the remaining few prisoners should also be released forthwith. When they have actually acknowledged the usefulness of the Act by having their names registered as voters what further proof the Government requires of their *bona fides*? Now, Sir, when the whole atmosphere is calm, when the majority of the Sikh prisoners have been released, it is politic and expedient both from the public and the Government points of view to release them forthwith. There is absolutely no use of keeping them in jail. It will prove a source of complaint and nothing else. For these reasons I support the amendment.

The Honourable Sir John Maynard (Finance Member): Sir, I recognise the pacific feelings which caused the various honourable members of this House to urge upon the Government the desirability of putting a final end to this case. But I have no doubt that honourable members realise that Government likes to consider this question from the point of view of the ultimate effects upon the peace of the province before it comes to a decision on matters of this kind. I am not going to repeat the various considerations, which I have on many previous occasions put forward in dealing with resolutions or suggestions of a similar character. It would be unnecessary for me to go into all the considerations which I have already put forward and therefore I will say nothing as to the possible effects on, shall I say, these somewhat determined people, of giving way to them in what I may term perhaps their fancy. If I were prepared to enter into that question again, I might have repeated what I said on former occasions as to the somewhat unfortunate experience which Government has had in the past in making remissions or taking other similar action which might have the appearance of a concession made in weakness. On this particular occasion, I confine myself to pointing out two things. One of them is this: when we find as we do in this case, that certain persons, persons respected in their own community as well as in the general public, have found it possible to do a particular thing, that is to say enter into a certain engagement written or oral, what is the inference which we are to draw as regards other persons who being charged with similar actions decline to give any such assurance? What are we to say about those who still obstinately decline to give that assurance? Is it not a perfectly reasonable inference that those other persons do really intend in some way or other to behave in a manner different from those who have found it possible to give the assurance? That, I think, is an argument which should appeal to all reasonable men as being based on reasonable probabilities. That then is one of the considerations which I put forward, that is, there is a reasonable inference that those who decline to give the assurance which other honourable and reasonable men have found it possible to give must have in their minds an intention of behaving in a manner different from those others who have found it possible to give that assurance (*A voice: Their own action negatives it*).

The second point on which I lay some stress is this: here we have a case in which certain persons, honoured and respected in their own community, have given a particular assurance and have been, I believe, subjected to a certain amount of attack on the part of a certain section of their own community for having done so. When we have these gentlemen who have given that assurance, and who have been

subjected to attacks in consequence, would it be quite fair to them after they have brought themselves to the point of giving an assurance, would it be quite fair to them to say to others who obstinately decline to give any such assurance: now we release you and you may go out with flying colours, you will be in a position to place yourself before that section of the community which objects to the assurance in a light superior to those who have found it possible to give it? (*At this stage Professor Ruchi Ram Sahni got up to say something.*) Sir I am in possession of the House and I intend to remain in possession of the House. If the honourable member had had any intention of speaking on the subject, he presumably could have done so at an earlier stage. I put it to the House that it would not be fair to those who have given the assurance of which I spoke, if we were now to say to others who decline to give that assurance: we place you precisely in the same position as those who have been reasonable; we make it possible for you to leave the place in which you are confined and to go forth and to show yourself to your community in a light superior to those who have behaved in a manner different from you.

Sardar Jodh Singh (Sikh Urban): Sir, I will take only a few minutes to reply to certain arguments that have been advanced against my amendment. The two sets of leaders, those who have been released and those who remain in jail, do not differ in their views. All of them a short time back gave the public to understand by a resolution that was passed unanimously that they were willing to work the Gurdwara Act. They appealed to their community to accept it . . . . .

Malik Firoz Khan, Noon: Why do they not make a statement then?

Sardar Jodh Singh: I will come to it. In the case of some of them, they took objection to making a written statement to that effect because they thought there was no need for doing so, and they made an oral statement in the court. In the case of others, they thought that they had done in the resolution what Government required of them, and if Government did not accept that, neither any written undertaking nor any oral statement was needed. That was the difference between them. The honourable member for Shahpur has put me that question. I simply refer him to the fact that when they publicly stated that they were willing to work the Act, was there any necessity for making that statement twice?

Then, Sir, the Finance Member has referred to the difference of opinion over the release of those who have come out, but he knows it full well that the majority of them are members of the Shromani Gurdwara Parbhandak Committee and their party is again in power . . . .

Mr. J. M. Dunnett: Who is the President now?

Sardar Jodh Singh: I will answer that question. The personality of the president does not matter. The party in power is that of Sardar Mehtab Singh and it is Sardar Mehtab Singh who wields the power . . . .

Malik Firoz Khan, Noon: Why did he resign then?

Sardar Jodh Singh: That may be a tactical move. Otherwise Sardar Mehtab Singh is as much in power as he was when he was president.

Then, Sir, a question has been put by the Finance Member and it is this, is it fair to those who have been released after making that statement to release the rest without any statement or without any undertaking? Sir, I am one of those who are siding with the leaders that have been released.

[Sardar Jodh Singh.]

I have been publicly defending them and I know their minds. May I assure the Honourable the Finance Member that they will have no grievance of the kind suggested against Government if the rest of their companions are released without any undertaking. Those who have been released did not think it against their principle to make an oral statement though they were not willing to give a written undertaking, whilst those in jail think that as they have given the undertaking publicly they will not make any oral statement. Both are agreed on the line of action. They will all work the Gurdwara Act and that is what Government wants. As to the effect that will be produced on those who have already been released, I can assure the Finance Member that they will be glad to see their companions with them working the Gurdwara Act.

There is another thing to which I may refer, and that is that the leaders who have been released are in a very difficult position. If all the prisoners are released, then another thing will follow. The ban of lawlessness will be withdrawn against the Akali associations. After their release they are again working in an association which to all intents and purposes is unlawful, and in order that they may work the Gurdwara Act they are making themselves liable to another arrest and perhaps another imprisonment if Government wants to drag them into court. To put an end to this state of affairs, I would appeal to Government to relax their conditions a little more—from written to oral statements and from oral to none at all. After all these leaders have given a public undertaking that they will work the Act. Government will not lose its prestige if it shows leniency. Sir John Maynard alluded to this and said that the action of Government will be interpreted as weakness, and he referred to cases where release was resorted to before this. But once more I may remind the Finance Member through you, Sir, that at that time the Gurdwara question was not settled. The main question was still there, so even after release the Sikhs had to do the very things which had previously taken them to jail. I would ask Government to take a broad-minded view of the whole affair and show a little clemency. They will not stultify themselves in the eyes of the public. Even now Government knows that the majority of the community have declared through the Shromani Gurdwara Parbhandak Committee that they are in favour of this policy. Then surely, Sir, by showing a little clemency Government will be promoting the spirit of reasonableness and the cause of dissensions and agitation against Government will be gone. The Gurdwara Act is now a fact. The Government has helped the Sikhs to get that Act. Gurdwaras will in future be managed by the Sikhs themselves, through the agency of their representatives. If the prisoners are released there will be no agitation left in the Sikh community on the Gurdwara question, because even the extremists who have openly said that they do not like the Gurdwara Act have in the same breath said that as the majority of the Sikhs have accepted it they will not oppose it. The Honourable Finance Member said that they are a very determined people and asked what will be the effect upon them if they are released. I hope the failing which Government sees in others will not be found in Government itself. Let Government give up its *ziddi* and let it show large heartedness and I can assure Government that the action will be widely appreciated.

The Honourable Sir John Maynard (Finance Member): In this matter Government is not actuated by any of those feelings which the honourable member thinks that they may possibly entertain; it is actuated

solely by the consideration of the steps which will in the long run best tend to the establishment and maintenance of peace in the province. It believes that there are certain classes of actions on the part of Government which do not tend in the direction of peace but rather in the direction of a renewal of disorder. The Honourable Member stated that the two sets of leaders, both those who had made a particular statement and those who have hitherto declined to make one, do not differ in their views. Well, it is only possible to judge by what they do and when we find, as I have already said, one set of men respected in their community prepared to take a particular course by which they undertook to keep the law and another set who do not and are not prepared to take that same course, it is surely only reasonable and prudent to assume that there is really some difference of view between them. There is as a matter of fact very strong reason for believing that there are essential differences between the two sets of leaders.

Then my honourable friend said or appeared to me to say that those who are still under trial and those who have so far declined to give any undertaking have as a matter of fact made a statement to the effect which is desired. If it be true that they have really made such a statement, let our attention be directed to it, and let these persons confirm the fact. That is precisely the day for which we are waiting.

Then I also understood my honourable friend to say that he is in a position to give Government an assurance that the leaders who have already been released will have no serious grievance if the other leaders are released without giving any undertaking. In the earlier portion of his speech he referred to the fact that there were certain things which were done as "tactical moves". Sir, I confess that if it should so happen that the leaders who had been released on giving this undertaking should say that they had no objection to the rest of the leaders being released and that they did not in any way feel the possibility that they themselves might be placed in a false position by the difference of treatment given, I should, I confess, Sir, fear that this might be another tactical move (laughter).

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

"That the grant be reduced by Re. 1 with respect to the item of Rs. 1,40,400—Temporary Extra Assistant Commissioners".

The question is that that motion be adopted.

The motion was lost.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban]: Sir, I beg to move—

"That the total grant be reduced by Re. 1",

(Urdu): In moving this amendment I may say, Sir, that I want to raise a discussion about the appointment of Commissioners.

Mr. Miles Irving: On a point of order, Sir. The pay of Commissioners is non-voted and the honourable member endeavours to attack indirectly what he cannot do directly. I think that is beyond his power.

Mr. President: I think the reduction is proposed with a view to criticise the policy of the Government in retaining the appointment of Commissioners, that is to say, the honourable member proposes that the posts should be abolished. As long as the motion is not to reduce the salary of the Commissioners the motion is in order. [Government of India Act, section 72-D (3) (*iv*).]

The Honourable Sir John Maynard: May I draw your attention, Sir, to the particular ruling of one of your predecessors on the subject? It is in Volume VIII-A, page 682.

Mr President: I have taken into consideration my predecessor's ruling. I am yet of the opinion that the Council is within its rights in discussing a motion to reduce the voted portion of the Budget which consists of provision for the establishment of Commissioners and to urge the abolition of Commissioners whose salary is not a votable item.

Rana Firoz-ud-Din Khan: Sir the question regarding the usefulness of the office of Commissioners has been under discussion for a long time. The public have always considered these appointments unnecessary and in the course of time even the Government had grown doubtful as to their use. Consequently a commission was appointed to consider whether or not the office of Commissioners should be abolished? The minority report suggested that all posts should be abolished while the majority report proposed that out of the five posts two should be abolished. Sir, I am sorry to remark that the Government has not cared to carry out even the suggestions made by that commission. In 1924 the present Council by accepting a cut of Re. 1 in the salaries of Commissioners' establishments had given the same verdict. Last year in the Budget session this question was ruled out of order by the Honourable President on the ground that as one rupee cut could not affect the office of Commissioners (being non-voted items) what was the use of discussing this question at all? This question has not arisen all of a sudden. The public have repeatedly expressed their views about the office of Commissioners. They have always urged the Government to abolish these posts but the Government has turned deaf ears to their just demands. The last Council and this Council have given the same verdict. Therefore, Sir, I am at a loss to understand why the posts the usefulness of which is very much doubtful should not be abolished. The Government has been unable to justify the existence of the office of Commissioners. This proves that the Government does not care a fig for the public opinion and for the just demands of this country. Therefore, Sir, as a mark of protest against the die-hard attitude of the Government I beg to move that one rupee cut as proposed by me be accepted.

Mr. President: Grant under consideration, motion moved—

"That the total grant be reduced by Re. 1".

The question is that that motion be adopted.

Rai Bahadur Sir Gopal Das Bhandari (Nominated non-official): Sir, the honourable member has reminded us that the public opinion has been to the effect that the posts of Commissioners should be abolished. He has also reminded us that the decisions of the last session of the Council that is the decision of the non-official members was to the same effect. But I can say that if I differ I do so for certain reasons. What I beg to say is that supervision is really the essence and soul in all affairs of this world. Those who have given some consideration to the work of the Commissioners, those who really know what the duties of the Commissioners are, will be convinced that the abolition of the posts of Commissioners is out of the question. In the Commissioners we have got officers of ripe experience of the standing of more than 25 years and they supervise the acts of the Deputy Commissioners about six in number under each of them.

If we abolish the post of Commissioner we will be losing the services of such an experienced officer. It has not been brought to our notice that the Commissioners have in any way failed in the performance of the functions assigned to them. It has only been said that the public has said such and such a thing about these officers. But because it is said by the public it does not follow that it is necessarily a reasonable fact. We ought to know what their duties are and examine whether they are not indispensable for the discharge of those duties. We have not heard any argument on these lines but only general remarks about them. If you look at the duties performed by these Commissioners you will find that they have hardly time to see those persons who go to them from distant places. I as a member of a municipal committee, and, if I may say so without meaning any vanity, as President of that municipal committee, really feel the usefulness of the Commissioner to such a great extent that I shall be losing his valuable counsel if his post is abolished.

Shaikh Muhammad Sadiq [Amritsar city (Muhammadan), Urban]: Sir, this question has been before the Council for a long time. Naturally the Government and the public do not see eye to eye on this subject. Government thinks that if these posts of Commissioners are abolished from the Punjab it will naturally have to find jobs for its five experienced members of the service. The public on the other hand thinks that the work which is done at present by the Commissioners should be distributed to some other officers. I agree with my friend Sir Gopal Das in saying that it is absolutely necessary to supervise the work of the junior officers. But the questions raised by the mover of the reduction does not urge so much about the total abolition of the Commissioners as about the Government accepting the report of the Retrenchment Committee. Now it is most undesirable that the Government should throw into the waste paper basket the report of a commission which the Government itself appointed.

This question brings in another very important question. The Commissioners, so far as their supervisional powers are concerned, are good. That relates to their executive work. But as regards municipalities, I think the time has come when the Government should reconsider the whole situation. Punjab has advanced by leaps and bounds during the last 20 years as regards municipal affairs to such an extent that it is now time that instead of having Commissioners to supervise their work we should have a board, say Local Self-Government Board as they have in England to supervise the whole system of municipal administration in the whole province so that the opinion of one Commissioner may not come in conflict with the opinion of another Commissioner. At present in one division the Commissioner holds one view and in another division another Commissioner holds a different view on the same subject. I am not so much particular that Government should altogether remove the Commissioners as I am that some work should be taken away from the Commissioners, because Punjab has advanced by leaps and bounds as regards municipal and other affairs.

The next point is that these Commissionsrs do revenue work. Is it not time that Government should appoint a court of justice just like the High Court to do revenue cases. Why should each Commissioner sit at different places? Why should not a central court be established for dealing with revenue cases just as you have courts for civil and criminal cases? The same system of law and procedure applies in both cases. There is therefore no reason why

[Shaikh Muhammad Sadiq]

we should not create a new kind of court just like the High Court for disposing of revenue cases. If this is done some work from the Commissioners may be taken away. Perhaps it may be urged that some persons will have to be appointed for this board. I agree, but after all it is only a kind of readjustment and nothing more. We know that the work that is done by the Commissioners will have to be done. No doubt they have to do some supervision work over the Deputy Commissioners.

4 P. M. As regards municipal work, now it is a transferred subject, and I do not see any reason why there should be this intermingling of transferred and reserved subjects. If you want dyarchy why not give it a proper chance. There is no reason why we should appoint a person whose pay is non-votable and yet when he does municipal work, his pay should be brought under the votable item. You cannot intermingle these two things together. I appeal to the Government that they should first reduce the number of Commissioners and afterwards they can totally abolish the post.

The other thing that I want to suggest to the Government is to start new reformation as regards municipalities, that is appoint a board which should do all the municipal work. If a revenue court is established, it can do all the work that is now attended to by the Commissioners. I am not so much opposing the retention of Commissioners as I am opposing the present policy of Government. The Retrenchment Committee appointed by the Government consisting of their own officers recommended the abolition of these posts but the Government has not yet given effect to those recommendations. If the Government cannot give effect to the recommendations of their own officers, then they had better take away all the reforms, and let them abolish the distinction between transferred and reserved subjects, if they like.

Mr. J. M. Dunnett (Chief Secretary): Sir, I have listened with great interest to the remarks of the speaker who has just sat down, not because I agree with all his arguments, but because the result of his speech (which I have no doubt he will follow), is that he opposed this resolution. I want to make it quite clear for two reasons what we are discussing really. It is a useful custom, which I regret on one or two occasions has not been followed, that when members propose to omit or to reduce a grant, they give intimation of the subject which they wish to discuss. The subject which the honourable mover has set down for discussion on this cut is the abolition of Commissioners. But the two speakers who followed him have used arguments which amount to reasons for the retention of Commissioners. The honourable member for Amritsar who has last spoken wishes to reduce the duties and the number of the Commissioners but to retain the office. Incidentally I may remark that, if his proposal is given effect to, he will substitute three Commissioners for five Commissioners and perhaps there will be ten or fifteen other officers created. So much for the hunger for jobs. Anyhow, what I wish to say is, the question really under discussion is the abolition of divisions and therefore honourable members who press for reduction in numbers are in my view logically bound to oppose this motion.

The honourable member gave us very few arguments, and, perhaps I may say, none at all in support of his motion. He did not discuss what the Commissioners do or ought to do and did not do, nor did he make out any case for his proposal except the remark that there has been a continuous clamour for this change and the remark that the Retrenchment Committee is in his favour.

The junior member from Amritsar also pressed this point and cast it in the teeth of the Government that Government had thrown into the waste-paper basket the report of their own selected officers. I may say straightaway that the Retrenchment Committee is on my side and not on the Rana's side. The Retrenchment Committee did not propose the abolition of the divisions. It, in fact, considered the retention of Commissioners essential and proposed that three should be retained. Now, Sir, I can say much on the impossibility of splitting up five homogeneous divisions into three, and on the tribal and administrative inconveniences which would arise, but I consider that irrelevant. My business at the present moment is to claim that the evidence which has been adduced against me is really in my support and that Retrenchment Committee considered the retention of Commissioners essential.

Now, Sir, as to the abolition of the posts, I am in some difficulty because I have really no arguments to meet. But I feel that the House is perhaps in danger of forgetting that the Commissioners' functions are not only those of supervision over the whole division, but also the function of philosopher, guide and friend of junior officers to which the senior member from Amritsar has made reference. There are also other functions which must be performed by some one. For instance there are the appeal and revenue functions, whose removal to a central revenue High Court in Lahore will cause very great inconvenience and discomfort to the people. We have had discussions in this house about the accessibility of all officers down to revenue assistants and these discussions have already aroused sympathy and received support in this House. What you now suggest amounts to removing one class of officers from close proximity to the villagers and concentrating them in headquarters. I trust that this proposal will receive little sympathy from those honourable members of this House who have at heart the interest of the agricultural litigant. I will leave the House to attach a high value to the remarks which the Honourable Knight from Amritsar has made regarding supervision and guidance to assistants and junior officers, and as for local administration, whether you accept the argument of the learned Barrister from Amritsar or whether you stand on the old ways and maintain the existing practice there is no case made out for the abolition of divisions. It is possible that the House in its present affluent condition may be less careful of economy than it has been in the past, but the House will recognise that this is the cheapest, the most economical and the most efficient way of affording this service to the country, which it is recognised must be rendered. Even if you have a revenue first court of appeal in Lahore, if you have a board of Local Self-Government, even if you split up the functions, and even if you entrust the supervision and guidance and assistance of officers to an additional Secretary in Lahore, the bill will cost you more than it costs you at present. It means more officers, less in touch with the struggling, responsible district officers and less efficient but costing more. For these reasons I beg to resist the amendment.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan), Rural]: During the budget discussion I raised the question of Commissioners and I now support my honourable friend Rana Firoz-ud-din and urge that these posts of Commissioners should be abolished. It has been brought to the notice of the House times without number that there is absolutely no necessity for this post office of Commissioners. Once the retrenchment committee and also afterwards a out of this Council for the establishment of Commissioners have indicated to the Government that these

[R. B. Lala Sewak Ram.]

posts of Commissioners should be abolished. I do not want to traverse on the same ground again. What I wish to say now is the question of supervision upon which great stress has been laid by the Honourable Knight from Amritsar. He wants supervision for two or three reasons. Firstly, he thinks that junior Deputy Commissioners are sometimes put in charge of districts and that their work requires supervision. Secondly, he said from his own experience that Presidents of Municipalities—although I might call my honourable friend a most capable President and although his actions did not testify to his capability because he constantly sought the advice of Commissioners—the Presidents of Municipalities had often to consult Commissioners on Municipal affairs. Thirdly and lastly the Commissioner had to deal with tribal matters as has been referred to by the Chief Secretary. When the office of Commissioner is abolished, I beg to submit that there will be then five senior officers who can be put in charge of important and heavy districts. The first class or important districts which require extra capacity to manage can always be put under senior Deputy Commissioners. It is only when a junior officer is posted to these important districts that constant supervision is necessary. Only such class of officers from whom the present Commissioners are drawn can be put in charge of districts like, Amritsar, Lahore, Rawalpindi, Lyallpur, etc. Therefore his point that Commissioners are absolutely necessary to supervise the work of Deputy Commissioners in big districts falls to the ground. Even as at present, some of the duties discharged by Deputy Commissioners are at present supervised by different heads of departments. For instance when the jail work is done by Deputy Commissioners, the Inspector-General of Prisons goes and supervises the work which the Deputy Commissioner does as a visitor of the Jail. (*A voice: The Deputy Commissioner does not do jail work.*) The Deputy Commissioner does jail work as a visitor. What I submit is that the jail work is so thoroughly attended to by the head of the department that there is no necessity for a Commissioner to go and look around the same work again. Even other kinds of work, such as income-tax which require supervision have been taken out of the hands of the Deputy Commissioner and I do not know why the work of the Deputy Commissioner as District Magistrate should be supervised by the Commissioner. All the cases that the District Magistrate hears goes on appeal to the Sessions Judges who can supervise criminal work. As regards revenue work, there is no necessity for a Commissioner to supervise the work of Deputy Commissioners. All the revenue appeals must be made to lie only to the Financial Commissioner, direct and I am sure that the zamindars will be saved much of the trouble. The zamindars are at present incurring double expenditure in the matter of revenue appeals. First the zamindar has to incur expenditure in the first instance in the Commissioner's court and then again in the Financial Commissioner's court. I hardly think there is any necessity for having an intermediate court between the Financial Commissioner and the Deputy Commissioner. If the work in the Financial Commissioner's office becomes heavy, I think a Board of Revenue just as it exists in the United Provinces and Madras can be created. This is as regards appeals.

Now coming to the question of expenditure to the people. It is clear that the zamindar has to spend a lot of money when he goes to an intermediate court. The question of constant tours of the Commissioners is no source of small evil to the poor zamindars in the *ilaqa*. I do not want to go into

details on this point because details are not pleasant. When the Commissioner with the whole of his staff tours in an *ilaqa*, the zamindars, the zilladars, the lambardars, and all other people have to make a big *bandobast* for the Commissioner and his staff and thus very heavy expenditure entails on the poor people. Not only the zaildars, lambardars, etc., but also the poor zamindars are put to a lot of trouble on account of the existence of these Commissioners.

Now the question arises as to how to relieve the congestion of work in a district and how to give relief to the Deputy Commissioner. My suggestion is that where a Deputy Commissioner has much work, he can be given the assistance of Sub-Divisional Officers who can be put in charge of distant tahsils. For instance a place like Jhang which is a small district—Chiniot being far off—can be created a sub-division. In a place like Lyallpur, Toba Tek Singh can be created a sub-division. The outlines may be worked out and if one or two Sub-Divisional Officers are attached to each district where the work is heavy, the trouble of overwork to the Deputy Commissioners can be got over. There will be no additional expenditure because one of the present Assistant Commissioners or the Extra Assistant Commissioners who are in the *sadr* can go as Sub-Divisional Officer to a distant place. The question of expenditure or reduction of expenditure is not the only end in view in proposing the abolition of the posts of Commissioners. It is with a view to relieve the people of the many troubles that they are labouring under at present that this question of abolition has been taken up.

Another thing in favour of this suggestion is that when the executive and judicial functions are separated, the District Magistrate will not have so much work at the headquarters, so he can supervise the work in the district himself. That is another reason why this post is not needed.

Then the Chief Secretary stated that litigants will suffer. As a matter of fact they already suffer by the retention of this office. Their expenses ultimately increase to a large extent, because the litigants in this country go before as many courts as there are. Therefore Government will be doing a great favour to the poor zamindars if they remove this post and save them the trouble of going to additional courts.

In the case of municipal boards his interference is absolutely unnecessary. All the important district boards have Deputy Commissioners over them and they do all the work. Otherwise, the subject being transferred, as has been pointed out by an honourable member, all matters of importance can come to the Minister in charge direct through the Secretary, Transferred Departments. I fail to see the necessity of his sitting on the head of the Chairman or the Deputy Commissioner. It is not essential at all. These are the reasons, Sir, why I want the abolition of Commissioners.

The Chief Secretary has put the question of cost in the forefront. That is not the only question. Now when you have a surplus you can create from five to ten Commissionerships, but I have described the troubles of poor zamindars who want them to be brought to the notice of Government.

I am not quite sure but I think that in Madras they have no Commissioners. They have a Board of Revenue (A voice: you have a board of Revenue in the United Provinces too). Having all these things into consideration, I would submit to Government to appoint a committee of expert men to go into this question. I am making this suggestion not, in any

[R. B. Lala Sewak Ram.]

vindictive spirit against the office of the Commissioner, but because I believe that more justice will be done to the zamindar if he is relieved of a number of officers. Besides this, Sir, there will be lesser corruption if the Commissioner is removed. I do not say that the Commissioner himself accepts bribery, but what I say is that the fewer the officers the lesser will be the bribery given to their subordinates, in the form of *bakhshish*. The Revenue Member who is himself a zamindar knows what sort of troubles the zamindars have to undergo in dealing with a large number of officers and their staff. Therefore the lesser the number of officers the better.

The Honourable Sardar Jogendra Singh (Minister for Agriculture): Sir, there are one or two points that have occurred to me. The honourable member for Lyallpur spoke in the name of zamindars and pleaded that it would be conducive to their happiness if there were no Commissioners. I fail to understand how that is going to happen. Commissioners and Deputy Commissioners make the administration efficient in the interests of zamindars. What the zamindars need is that the administration should be strong and efficient, properly supervised and in the hands of experienced officers. I do not understand how it will help the zamindars if the office of the Commissioner is abolished.

Then again the question arises and it is a very important question—how the junior officers are to be trained to run the districts properly and on the lines in which districts have so far been run. To me the district officer strikes as the ruler of his district and as a ruler he has to administer it and much of the work depends on his efficiency, on his goodwill and honesty of purpose. Junior officers, in the changing times, are not likely to immediately appreciate the needs of a district. The new leave rules resulting in constant changes do not generally permit the Deputy Commissioners in their places as they did in the times of yore. Then again there should be superior officers who should see that the Deputy Commissioners carry on their work in the old way and keep alive the splendid tradition. Only the other day we were considering the question of prohibition in this Council, and if I may incidentally mention, the question of controlling drink has been engaging serious attention of the Government for sometime. In this connection also we found that the offices of Commissioner could be usefully employed in controlling the Excise Department and that the Excise Department would become more effective under the supervision of a Commissioner.

Then all the honourable members who have spoken in favour of the abolition have proposed a substitute and recommended the creation of either a Board of Revenue or a Local Self-Government Board or some other such institution. I do not see the advantages of the proposed change. We may have a Board of Revenue, we may have a Local Self-Government Board, but if you are going to employ the same number of officers under different names, what difference will it make to change the name and abolish the Commissioners? The present system has worked satisfactorily, with the development of democratic institutions, with the development of district and Local Self-Government, when the Local Self-Government comes to its own by which I mean, when the Local Self-Government, that is, the district and municipal boards are able to manage their own affairs; conceive new policies and carry them out, then the time will have arrived to consider this question. At the present moment there can hardly be

any doubt that certain amount of direction and guidance is required both by the district officers and the municipal and district boards, and Commissioners are very useful.

Then somebody said something about dyarchy. Dyarchy on the whole, so far as its working is concerned, is unitary in its working all the sections of Government work together whether on the reserved side or the transferred, they are united in promoting the well-being of the Province and this is a matter in which this House can always co-operate and it should co-operate in making the Government strong, efficient and benevolent. The recommendation which is now made that the office of the Commissioner should be abolished, I do not think will be conducive to a better Government. That is why I am opposed to the motion.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural]: Sir, I am very glad that a very interesting discussion has been raised on the question of the abolition of the Commissioners. I wish to approach this point purely with the object of finding out whether it would not be a better thing to substitute some other kind of control over the municipal board and over the judicial work than is done by the Commissioner at the present day. The Commissioners at present exercise three kinds of functions judicial work, executive or administrative work and they exercise control over the local bodies. Now with regard to the judicial work so far as the experience of lawyers is concerned, we find that the Commissioners cannot and do not pay the same amount of attention as they ought to pay in appeals. Sometimes you find their judgments extremely hasty, sometimes they are ill-written and they do not tackle all the points which they ought to tackle. I have appeared before one or two Commissioners and with one or two exceptional cases I have found that you do not get the same kind of hearing which a case requires. The reason is that they are too much pressed for time. They have to receive visitors, they have to hear complaints, they have to do all sorts of things. Therefore they cannot possibly bring to bear upon the case that judicial mind which is necessary in the case of a judge. Their duties are so intermixed, they have to go about hearing this lambardar and that zaildar, and therefore their judgment is also affected by these private reports and those who want a judicial decision will realise that a judge must be above all these influences which are generally brought to bear upon a Commissioner.

Then my honourable friend the Chief Secretary referred to the fact that if you organise a board of two or three Commissioners or a board of revenue in Lahore to hear these cases that would be more expensive to zamindars. The honourable the Chief Secretary must remember that the zamindars in this province have got a peculiar mentality. A zamindar wishes to try all the courts that are existing. In this case he first of all goes to the Collector then there is the Court of the Commissioner and if something has been done by the Commissioner against him he goes and tries the Financial Commissioner, knowing full well that the Financial Commissioner will not interfere. Even in the High Court we find that where there are customs cases, a lawyer tells the appellant: "you cannot appeal to the High Court because you have not got a certificate of the district judge." He will tell the lawyer: Sir, I must appeal. I will not be allowed to sit idle at home; people will say that I have not appealed to the High Court; whether I lose or whether I win, file this appeal." That is the mentality which an ordinary zamindar

[Pandit Nanak Chand.]

possesses, and if there is a judicial court of Commissioners in Lahore, that would be a saving to the zamindar and not adding to his burden at all, because he has to come to the court in one form or the other. Sometimes I find that whenever there is a Letters Patent appeal, and the case is decided against a litigant, he likes to go to the Privy Council and asks us if anything else can be done. That is the mentality and if you really want to show favour to the zamindar, you must organise a proper Judicial Commissioner's court in Lahore to which these people may bring their appeals.

Then with regard to the municipal committees I entirely disagree with my learned friends who have spoken previously that municipal work and district board work has been going on very nicely. Unfortunately my experience is that so far as municipal administration is concerned, municipalities have hopelessly failed to grasp the opportunity that was offered to them. I have received complaints from municipalities where the Hindu members are in a majority and there also I find that they are always busy trying. . . .

Mr. President: Order, order. That point is not before the Council. The only question before the House is the municipal administration in relation to the Commissioner's control and superintendence.

Pandit Nanak Chand: Quite so, Sir. I want to substitute a better control over these municipalities. I am going to make a suggestion with regard to that. It was pointed out by one of the speakers that we are now advanced in matters of local self-government. I want to point out that real guidance is necessary to the people in the administration of the municipal and district board affairs. I am of opinion that a board of Commissioners you may call it local self-government board, sitting in Lahore deliberating upon different points and trying to tackle different problems that confront the different municipalities and local boards will be better able to guide these local bodies than these Commissioners scattered about and going about sometimes to one place and sometimes to another. It has been admitted that everywhere two brains are better than one and three brains are better than two. If these Commissioners form into a board, they will be better able to do their work than they are at present individually doing.

Mr. C. M. King: There is one point, Sir, which I should like to be cleared. Should this board proposed for supervising the municipalities be the same as the board which hears appeals? I want to know whether the two boards are identical or not.

Pandit Nanak Chand: They may be separate or identical. It all depends upon the amount of work involved. I do not know what amount of judicial work the board will have to do. If the work involved requires two boards, two boards must be constituted. What I want to urge upon the Government is that it must change the old system which has not been progressing with the progress that the Punjab is making. The office of Commissioners was instituted at a time when the province did not have all these advantages which at the present moment it possesses. Therefore some sort of change for the better is needed for the province. This proposal may involve the appointment of more officers and the consequent additional expenditure. Still I do not mind that.

It has been said that these Commissioners are needed in order to train the Deputy Commissioners. If so, then this argument can be stretched a little further and it may be said to train these Commissioners in the administration of their divisions you require another agency. I personally have sometimes found that the Deputy Commissioners in many cases have managed the district better than many Commissioners have done. It all depends upon the intelligence and integrity and the amount of interest which a person takes in his work. These Deputy Commissioners can be given training while they are in sub-divisions or when they are Assistant Commissioners. When they get experience in this way they will be better able to administer the district. Then, there is the Financial Commissioner who can give them advice whenever they seek advice. There is the Executive Council to whom the Deputy Commissioners can always look to for assistance in solving ticklish point. I do feel, Sir, that these Commissioners must go. Punjab is progressing and the institution of Commissioners also must change and give place to a better one.

Diwan Bahadur Raja Narendra Nath [Punjab Land-holders (General)] : Sir, I have listened patiently to the speeches that have been made and I carefully resisted the temptation of offering some remarks, but I cannot do it any longer. I was a member of the Retrenchment Committee that went into this question and submitted its report. My honourable friend the member for Hoshiarpur has demolished weak arguments in favour of the retention of Commissioners as are generally advanced. But he has not taken into consideration other points which are equally important. I have not been able to discover anything in the speeches that have been made even by the official members, which refers to these points. The question is whether intermediary supervising officers are at all required. If not, why attack the posts of Commissioners only ? If Commissioners are unnecessary, are Superintending Engineers necessary ? Why is it that the Commissioners alone are singled out for this retrenchment work ? (A voice : Others also). Then attack the whole system. There is a class of work to which no reference has been made. It is a very important point and that is that political work is increasing day by day. This is a class of work in which the junior officers perhaps more impetuous and more impulsive are more liable to make mistakes than the senior officers over their head. I do not think that the Governor alone is sufficient to guide all the district officers without adequate knowledge which he is not in a position to possess. The Retrenchment Committee proposed the abolition of one post of Commissioner. It was not in favour of the abolition of all the posts of Commissioners. I felt a little reluctant to express any opinion as to the necessity of the abolition of the posts of Commissioners. I did not believe we could come to any definite conclusion. Since then much criticism has been made on the recommendation of the Retrenchment Committee, but the facts necessary to enable us to come to a better and more definite decision have not been placed before us either by the Government or by the other side. There is only one presidency, Madras, where there are no Commissioners. I asked the Government for information and I also asked my colleagues on the Retrenchment Committee to get information but neither of them was able to do it. What I want to know is this. What is the average size and population of a Madras district, what is the staff in the Secretariat, what is the number of members of the Revenue Board, and what is the strength of provincial officers, I mean the Extra Assistant Commissioners or the officers who correspond to them in that presidency ? If the cost of that additional establishment

D. B. Raja Narendra Nath.]

comes very nearly to the cost of the salaries of Commissioners, I do not see how the system can be changed. Neither the mover of the reduction nor any other member who supported him has given facts on these matters to us and I am sorry to observe that although this question comes constantly before the House the Government has not taken the trouble to ascertain these facts from Madras. I would suggest to the mover of this reduction to withdraw his motion for the present and collect facts on the lines on which I have suggested before coming again to the House with a motion on this subject.

Mr. J. M. Dunnett: Sir, if the Raja Sahib wishes that information to be obtained from Madras I shall be happy to do so, if he will give me a slip containing all the particulars on which he requires information.

Rana Firoz-ud-Din Khan: In the circumstances explained by the Raja Sahib I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Chaudhri Afzal Haq (Hoshiarpur-*cum*-Ludhiana, Rural) (Urdu): Sir, I beg to move :—

"That the total grant be reduced by Re. 1."

Sir, you are well aware of the fact that in 1924 when I moved my resolution with regard to the exemption of swords from the operation of Arms Act every section of this House supported it whole-heartedly and when the question was put even the Government did not press for division. This shows that at that time Government was also in favour of this resolution but I am extremely sorry to note that Government has done nothing so far in this respect and two years have elapsed since the resolution was adopted by this House. Inspite of the fact that not a single member of this Council was against this insignificant resolution Government has not cared to act upon it. Sir, in 1921, when the Reforms were inaugurated we thought that these Councils would do no good because Government was not prepared to regard the public interest with a sympathetic mind but there was a class of more credulous people who trusted the Government and urged to co-operate with the Government. Later on in 1924 we decided to enter these Councils simply to gain experience as to the real state of affairs and with this point of view I decided to bring up a harmless resolution (*re.* exemption of swords) before the House. Nobody opposed it but inspite of this Government has not given effect to it as yet. Sir, I am constrained to say that we have acquired a very bitter experience in this Council. Government does not care a fig for our resolutions and suggestions. All our expectations have come to nought. Sir, once the highest officer of Government was pleased to remark that "had people co-operated with us we would have never shown any kind of *Bania* spirit." Sir, it goes without saying that here in the Punjab nearly everybody co-operated with the Government so much so that the Honourable Sir John Maynard has himself admitted it. But I would like to state clearly that this co-operation with the Government has proved fruitless and we are more backward in many respects than other sister provinces. Had this resolution been passed in the Bengal Council I daresay that Government of Bengal must have given practical shape to it. Government ignores our demands and suggestions because it knows that there is no strong political party in the country otherwise it would have in many cases acceded to the

request of those members who have the honour of representing the interests of their constituents. Government has taken undue advantage of our co-operation. In 1921 there was a number of men who reposed their confidence in Government and who laid stress that Government was not such as to be mistrusted. But to-day none can honestly say that through co-operation anything could be obtained from Government. I am afraid there is none in the country who can come forward and belie this statement.

Sir, the harmless and insignificant resolution to which I have referred before was passed in this Council without a dissentient voice and as far as I recollect Government also did not object to it but so far Government has not exempted swords from the operation of Arms Act. This very clearly shows that we should not hope that Government will ever be prepared to grant us self-government. Now, Sir, we are in a position to tell those who cherish good regards for Government that we have co-operated with your Government for full three years but to no avail. Our friends the non-changers have frequently remarked that these Councils were useless and I also wish to ask if there is any use of attending the Councils and making speeches. In this connection I beg to draw the attention of the Government to the remarks of my learned friend Mr. Gray who said that Government should not make this Council a plaything. My own constituents have repeatedly told me that these Councils are useless and they prove it by saying that even an insignificant resolution of exemption of swords has not been accepted by Government. Sir, I am sorry to confess that in this Council our experience has been very bitter and I cannot help declaring openly that there is no use of entering the Councils and making co-operation with Government. Government is not prepared to accept any suggestion or proposal which might be placed before it and besides this it always goes counter to the wishes and interests of the people. With these few remarks, Sir, I resume my seat.

Mr. President: Grant under discussion, motion moved—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

The Honourable Sir John Maynard (Finance Member): Sir, I had been expecting the honourable colleague of mine would deal with the matter, but as he is temporarily absent and as no other honourable member wants to speak, I get up to say a few words on the subject. I have listened with very great interest to the extremely eloquent address which we received from the honourable mover of the motion. He observed with truth that on a former occasion, opposition was not offered by Government to a similar motion on the subject of the use of swords. He was not quite correct because he said that Government supported the motion. Government did not support the motion. If the honourable mover of this motion will examine the records of proceedings of this House he will find that Government put forward certain objections and then said that it was neutral on the subject. Now, I understand the honourable member's argument to be something of this kind. Seeing that the Government has expressed, if not acceptance, at all events a complete neutrality on the subject of this resolution, how is it that we find that up to the present day actual effect has not yet been given in spite of the resolution of this Council. The reason for that is that, though my honourable friend opposite may find it very difficult

[Hon. Sir John Maynard.]

to believe it because he has concerned himself somewhat with the theoretical aspect, Government always considers the actual existing situation and deals with the matter not from the point of view of any theory but from the point of view of what is likely to happen, good or bad, from pursuing a particular course. That is the main difference between those who sit on these benches and those gentlemen who criticise them from the opposite benches. As I have already said the Government deals with a matter of this kind entirely from the point of view of the probable practical results of taking a certain line of action, that is to say, with regard to the situation as it is for the time being and if it finds in a case of this kind that the probable result of doing a certain thing will be to do harm to the province instead of good, it will abstain from taking that action. That is quite a reasonable conclusion which all fair-minded men will probably endorse. I ask myself when I hear gentlemen such as the honourable mover get up and advocate a general grant of permission to wear swords and to manufacture them, I ask myself what is it precisely that they wish to attain. Swords, according to my own experience of them—I only wear them occasionally—although they may present a respectable appearance on occasions of state, I find that they are not really very convenient articles to carry about. Of course, it might be that I might desire for some reason or other to prepare myself and my friends for an attack or for dealing vigorously with some other kind of people who might attack us, and if so, I might be called upon to have in my possession an article with which I might easily thrust into the chest or the eye of the enemy according as circumstances suggest. On the assumption that I do not want to use the sword for the purpose of preparing myself for some action against some other person, I cannot for the life of me see what object I should be serving by carrying a sword. It appears to me that it will be simply inconvenient to me and probably somewhat alarming and dangerous to other people if I carry a sword. Therefore, I ask as a practical man what is it that the honourable member wants. He has delivered an address expounding the objects of co-operation and of the sad results of finding that co-operation has been disappointed of its objects, but he did not say why it was that he wanted to wear a sword or why he wanted other people to wear swords. I can only imagine as I have said that there must be some occult reason which has not been disclosed. When I see the actual existing situation in the province, I find that there is not the slightest fear that such weapons would be used against the constituted authority of the province; but I do not find equal reasons to be confident that they might not be used against some other section of the people or some other body of persons equally subjects of the crown. I have observed lately that there have been more than once, within the last two or three months, instances in which there has been, let me put it mildly, what I would call serious friction between different sections. Fortunately those who were concerned in these little outbreaks for the most part had nothing worse than their own fists or their own sticks at their command, but if they had had something capable of being used in a more drastic fashion than their fists or sticks, I fear the casualty list might have been somewhat greater than what it was. Now, in these circumstances as prudent and practical men, do we desire to place in the hands of people who have not entirely learnt to keep the peace, do we desire to place in their hands these dangerous toys? We do not give dangerous toys to those who might be tempted for some temporary reason connected with political or

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other fashion to make undesirable use of them. The existing situation does not appear to make it wise at present to remove the embargo which exists on the use and wearing of swords.

Shaikh Faiz Muhammad [Dera Ghazi Khan (Muhammadan), Rural] (Urdu): Sir, the Honourable Sir John Maynard has referred to some practical aspects of the matter and in doing so he has remarked that although it is not possible that swords could be used against the Government yet it is possible that people would apply these weapons against one another. In this respect I beg to point out that already there is one district in the Province where this weapon is exempted from the operation of Arms Act and there the inhabitants have not shown any likelihood of endangering the public peace. Sir, in Dera Ghazi Khan district there is no licence even for guns and people are armed with swords and guns and everybody leads quiet life. No trouble has so far arisen on account of the exemption of swords. In my opinion it will do no harm if swords are exempted from the operation of the Arms Act throughout the Punjab. When all are armed with swords those responsible for breaches of peace will think twice before resorting to violence. Under the circumstances, I think, Government can safely permit people to wear swords.

Maulvi Mazhar Ali Azhar [East and West Central Towns, (Muhammadan), Urban (Urdu)]: Sir, I have no mind to inflict a long speech. I shall confine my speech only to a few remarks. The Honourable Sir John Maynard has charged us with being mere theoretical and arm-chair politicians caring little for the practical side of the game. Nothing can be farther from truth. We on the other hand believe that Government very often for the sake of prestige or for similar other paltry considerations ignores the practical solutions of problems and draws chiefly upon its imagination. The Honourable Finance Member fears that if the sword is exempted from the provisions of the Arms Act though Government will have little to be afraid of the people will use it against one another in riots. Sir, when people come to fight they use *lathis* and *chhavis* and the Government has not been able to stop the possession and use of *chhavis* though this is a more dangerous weapon. How then would the exemption of sword create greater disturbance. Sir, it is not at all risky to exempt it. We have the case of our friends the Sikhs who have wrested the right of wearing Kirpan or sword from the unwilling hands of the Government through suffering and sacrifice. Sir, this community of warriors and brave people who are not faint-hearted and weak like others, if they have not made an unwarrantable use of this weapon what, then, can be feared from others?

There is another point worth considering. When a person has some weapon of defence, people do not attack him. Neither does a man possessing such weapons of offence and defence enter so hastily in a fight with others. The same is true of nations. We know that nations possessing aeroplanes, machine-guns and other impliments of war think a thousand and one times before entering on a war. This fact of being armed is an effective check against the misuse of weapons. The less a man is armed and used to the use of weapons, the more is he inclined to take to fighting. You know that the cases in which *lathis* have been used outnumber those where swords have been used. A quarrel in which only hot words are exchanged is of more frequent occurrence and lasts longer than the fight where swords are measured. It is, therefore, a matter of fact that when parties are armed and both have weapons, both fear casualties and hesitate to fight

[M. Mazhar Ali, Azhar.]

They do not so readily poke into other people's eyes or chest, for they fear being poked in the eye or the chest in return. I, therefore, submit that exemption of sword will not add to the number of fights.

Rai Bahadur Lala Sewak Ram: [Multan Division (Non-Muhammadan), Rural]: Sir, I have to add a few words in support of this amendment for the following reasons. In these days constant raids by Pathans take place even in private houses, and if people are allowed to keep swords, the party attacked can defend themselves. That is one reason why I want that swords should be exempted. It can be used as a defensive weapon. Now-a-days those who attack, not necessarily Pathans but other raiders as well, are usually fully armed. Sometimes they are armed with *chhavis*, beautiful *chhavis* and *tokas* and sometimes even with swords. One of my villages was once attacked by men who had swords, *chhavis* and also guns. Beyond a revolver and a gun which I possessed there were no arms in the whole village to protect ourselves with. I agree with the honourable members that in a place like Dera Ghazi Khan where everyone is well armed, one is less liable to attack from outside. Another point of the Finance Member is that we begin to kill each other if we possess arms. That can be done with *chhavis* and *tokas* too. There are many ways of killing a cat than by hanging it. This argument does not hold good. Then, Sir, Government need have no fear from the people at all when against swords it has machine guns. It is for self-defence that the mover asks that exemption should be given. I hear that there is exemption already given in the United Provinces. In our own Province in one district, I mean the Dera Ghazi Khan District, exemption is made. Why should it not be extended to the whole Province? There will be fewer raids if exemption is given.

Mr. J. M. Dunnett (Chief Secretary): Sir, I wish to say only a few words, not in order to join issue with any arguments that have been advanced from the other side of the House, but simply to put one or two practical questions. As far as this is a practical question, it seems to me in the first place that there is no real hardship in the existing position. People do not really want swords. It happens that one community did want them for religious purposes and other purposes, chiefly political purposes, but what other community has had a real necessity or desire for swords? Things as they are are quite satisfactory.....

Rai Bahadur Lala Sewak Ram: This is not a communal question.

Mr. J. M. Dunnett: The argument has been used that one community has obtained them and the others have not. That community required them for special purposes. Generally there is no real necessity. There is no demand for them. There is no hardship in the lack of opportunity to wear swords.

Now the other practical question is that there is a very real danger in arming the whole of the population with swords. I wish to show very shortly that there is a very real danger, but even if I fail to show that, do not think that the danger does not exist. Do not for mere debating purposes adopt propositions whose implications with criminal administration cause every one concern.

An honourable gentleman from Dera Ghazi Khan said that the surest way to prevent communal riots and other disturbances of the peace was to arm each party so that the other party would fear to attack it; and that

argument was repeated. I must say two things about that How many of the gentlemen who used that argument have ever been in a city during a communal riot where two mobs with excited passions are flying at each others throats ? How many people have seen it ? I have had the misfortune to see it and I acknowledge now the assistance which was rubbed into me last year by a gentleman who spoke on behalf of the Sikhs. That was not the only occasion on which I have been responsible for dealing with such situations and I would hesitate to take the responsibility in any town or city where the material is inflammable of trusting them with swords, so that they may be able to defend themselves or to attack other people.

The second point to which I wish to refer is this, the honourable gentleman who argued about this question, I humbly submit, has insufficient experience and has apparently overlooked a very striking incident to which prominent attention has been drawn in the press of the country within the last two or three weeks. I shall come to it directly. The number of murders in this province has been a subject of great misgiving to every one of the members of this House and to all responsible administrators for the last three or four years. The annual average number of murders used to be 350, now it has risen to about six or seven hundred. Yet the Governor of Burma considers that we really do not know what the prevalence of murder means. Burma is a province with an area and population more or less equal to ours and yet they had far more murders there than we have here, murders there are of alarming frequency. The reason is that in Burma every one can carry a sword.

Now, what I want to submit is this. No one has been put to any inconvenience or danger because he was not allowed to possess a sword. No one knows how to use it for one thing and secondly if the people are to be allowed to possess sword the danger of violent offences will be enormously increased—and of that Burma is the best evidence.

Sayad Muhammad Husain [Montgomery (Muhammadan), Rural] : Sir, I shall not weary the House by any long speech, I shall be very brief. Sword is a dangerous weapon as the Chief Secretary admitted. But the people are allowed to use a far more dangerous weapon, the *chhavi*. Sword is nothing as compared to that instrument. Beside you have permitted a very strong community the possession of sword in the name of *kirpan* and nobody has yet objected to that. Thirdly in the villages you have got certain lawless people who are armed to the teeth in spite of the Arms Act being in the Statute Book. These people who do not care for law are accumulating all sorts of fire-arms and it will be absolutely impossible for the law-abiding people to live without the possession of arms. I think that Government should take the first step in the right direction by exempting the sword from the operations of the Arms Act. This will help the law-abiding citizens in guarding themselves and their country from those people who are lawless and who do not care for the Arms Act.

Malik Firoz Khan, Noon [Shahpur East (Muhammadan) Rural] : Sir, I only wish to say one or two words in connection with this subject. One argument that may be urged in favour of the exemption of the sword from the Arms Act is that the people in this province as in other countries consider it a privilege to carry arms not merely for the purpose of a show but for the purpose of self-defence. That feeling is entirely natural. When we see our neighbours in the United Provinces are allowed the possession of the sword, we feel it all the more that we should also be exempted from the Arms Act.

[Malik Firoz Khan, Noon.]

The second point is that this province is no more inflammable than is the United Provinces. Moreover if you consider that this province is more riotous than the United Provinces then the question arises, why have you allowed a section of people of this province to carry swords without a licence? If the Government has got the courage of conviction and if they think that it is dangerous to allow the people to carry swords, then why allow one community alone to carry swords without a licence? If one community can be allowed to carry swords, why not allow other communities also to carry swords? I do not mean to say that the Government should take away from that community the privilege which it has been allowed in the matter of swords. The carrying of sword by that community has led to no special riots. If the people like the Sikhs can manage to carry swords without causing any danger to public peace then why not a *bania* sitting in his shop also carry a sword without fear of injuring any community. So, that argument of the Chief Secretary will not bear any investigation. He asked what is the hardship that we feel in not being allowed to carry swords. I ask where is the benefit in keeping them away from this privilege. The only result of the present policy of the Government is that it is forcing the lawabiding people to remain unarmed while those who defy the law can carry arms. We see lawless people carrying 3·03 rifles for committing murders in daylight and yet the people who are lawabiding are butchered like sheep and nothing can be done against them. If you allow the peaceful people also to carry arms these lawless people dare not go into the villages and attack them in the way they do. We will not be content with securing this freedom of arms for the public by only asking for the exemption of the sword from the Arms Act .....

The Honourable Sir John Maynard: Is it in order when discussing about the exemption of the sword from the Arms Act to proceed to discuss something else?

Malik Firoz Khan, Noon: I am only dealing with the major head and I will come to smaller head. What we wish is that the public of the province should be trained to the use of these arms and the only way to do so is to allow them to carry swords first. If you see that after a few years they behave properly then you can go a step further and exempt them from the Arms Act altogether.

The Honourable Sir John Maynard: The honourable gentleman is again making the breach of the order for which you have pulled him up.

Malik Firoz Khan, Noon: What is the breach?

The Honourable Sir John Maynard: Reference to a subject which is beyond the subject under discussion.

Malik Firoz Khan, Noon: No ruling has been given in the matter. This is only a preliminary demand and I hope the Government will consider it reasonably and not be firm about it.

Then with regard to murders, I must say that I do not know anything about Burma, but I may say this, that murders are being committed even when the swords are not exempt from the Arms Act. That argument that because swords have not been allowed to be carried by the people, therefore, there will be no murders cannot be pressed. Because in spite of the fact that the swords have not been exempt from the Arms Act you still have murders.

Mr. J. M. Dunnett: On a word of explanation, Sir, I did not argue like that.

Malik Firoz Khan, Noon: I am arguing that. I say that murders are going on because you do not allow the swords to be carried. If you allow the sword to be carried there will be fewer murders. You must allow the good people to carry weapons so that they may be a check against the rogues committing ravages and for self-protection.

Sardar Jodh Singh (Sikh, Urban): Sir, the argument that has been advanced by the Government can be advanced only in this country. In no free country will the Government dare advance that argument. If I mistake not murders have increased in America and yet the American Government has not up to this time solved that problem by disarming the people; whereas here if we want arms to protect ourselves we are told that if we are given the use of arms we will kill one another. Surely Government does not believe that.

An honourable member just now mentioned that the people in Dera Ghazi Khan District were not only allowed the use of swords but were even given license to carry fire arms and he informed me that the number of murders there are so few that even the Sessions Court there has been abolished. (Hear, hear and laughter). Now, Sir, are we to believe the hypothetical assertions of the Government that if people are armed with swords they will commit more murders or are we to go by facts, namely, that were people are armed there you have no murders. I submit that we should go by facts. Day in and day out we are asked by the Government members to base our arguments on facts and now, what do we find? There is the fact as broad as daylight that in a district where the people are armed the number of murders is very small so much so that even the Sessions Court has been abolished. I, therefore, submit that the hypothetical assertions of the Government should not be accepted. If the people are given arms they will control themselves better. It is chained dogs that go on barking. If they are given freedom to use the arms they will control themselves and will not commit those murders of which the Government is afraid and which the Government wants to check by keeping the people unarmed.

Chaudhri Afzal Haq [Hoshiarpur-*cum*-Ludhiana Rural] (Urdu): Sir, my friend tells me about a state where some papers are marked "put up for orders" and orders are pronounced thereon, others are disposed off with the remarks that nothing can be done about them and the applicant goes away disappointed. But there is a third class of papers as well which are marked "tie them up in the *Basta*" meaning thereby file them up. Now I understand what they mean by saying that the action should be deferred. This deferring of consideration in fact is the tying up in a *basta*. Sir, this has been the fate of this resolution. The arguments that have been advanced against this resolution appear to me to be simply ridiculous and absolutely unworthy of the official members of the House. It seems that the Government and its officers hold a monopoly for taking a practical view of things. Whenever any matter comes up we are told that we do not take a practical view of the thing. Now, Sir, we are also told that we do not understand the mind of the people. How strange it is that we who were born and bred amongst these people, we who move and live daily in them, we, who are the blood of their blood and the bone of their bones, do not understand the mentality of the people but these people belonging to a

[Ch. Afzal Haq.]

foreign nation, coming from a distance of hundreds and thousands of miles, understand the people better than we do. Could anything be more preposterous, It has been admitted that swords are not dangerous to the existence of the Government, but there is a danger of its being used against one another in riots. This, I submit, is not a correct statement as I shall presently show. The number of riots that have taken place in United Provinces is greater than those in the Punjab. But though sword is exempt in the United Provinces there has not been a single case in the United Provinces in which sword has been used. This is the conclusion to which those who have been studying these riots from a political point of view, have come. *Lathis* were used brick-bats were utilised but there has not been a single case in which sword was used. Nothing, therefore, can be stranger to say than that the sword should not be exempted for fear of its being used in riots. But, Sir, the truth is that the Government does not want us to learn to breathe like free people. On the other hand it wants to emasculate us and kill the manly spirit in us. The country cries for arms. It clamours for the grant of other fire-arms, but the Government denies us even the right of keeping swords. Sir, the sort of arguments that have been advanced are possible in a subject country only. Otherwise who can deny that right to a free born people. This is, Sir, the sort of education, the training we are getting for self-Government, the training we are getting to enable us to defend our homes against foreign aggression. This is a step to Swaraj.

Mr. Dunnett has remarked that there is no demand in the country. Sir, this is an argument which goes in my favour. When people are loud in demanding a certain right they are branded as agitators and rebels, but when they are silent then their very silence is used as an argument against the grant of that right. The Government in fact does not grant anything unless there is agitation and a spirit of defiance is in the people. It only grants a right when people like the Sikhs, fill the jails, are hanged and are shot down. This is what it wants. If this is true let it, then, declare it, and the people will be glad to know that they will not get anything unless they are prepared to be hanged. If this is not what you want why not then accept the resolution even before the people agitate for it. Sir, it has been said that there is no demand in the country. But this is not correct. In 1924, when this resolution was passed, all the daily, weekly and monthly papers reviewed this resolution very favourably and demanded the grant of the right. But inspite of the fact it is surprising to know that a responsible officer of the Government denies the existence of any demand behind the resolution. Sir, fortunately we have in the Government these days a gentleman who was sometimes the leader of political thought in the country and presided over the deliberations of a political party. It is, therefore, expected that under his regime the resolution will be accepted. We hope under the guidance of the gentleman who was once the foremost public man in the province.....

Mr. President: May I ask the honourable member to what argument he is replying.

Chaudhri Afzal Haq: Sir, I am making a personal appeal to the honourable member. Mr. Dunnett has suggested that crime has increased. Sir, I have already mentioned this point and I take this opportunity of mentioning it again, that as long as you keep a part of the people weak and

coward and unable to defend themselves crime is bound to go up. There has come into existence an element which defies the law and preys upon the defenceless people. The only solution of this is to allow the people as an experiment to keep sword and if it was found through experience that no wrong use was made of this concession to extend this concession to guns and other fire-arms. But it seems to be futile to hope so. The reason for increase of crime in the Punjab is that people are unable to defend themselves and they cannot oppose the dacoits. The unruly element have arms but the peaceful law-abiding people are absolutely unarmed and at the mercy of the dacoits. It is, therefore, imperative that the people be given arms for their defence. With these words I commend the motion to the House.

The Honourable Sir John Maynard (Finance Member): At the beginning of my reply I just want to say very briefly why it is that I am replying. I am replying because it is purely a police question and that is why I am dealing with the matter and not somebody else. Now as to the arguments which have been adduced in the course of this debate, a great deal of stress has been laid upon the case of Dera Ghazi Khan . . .

Sardar Jodh Singh: I rise to a point of order. Is the reply to any debate confined to the Honourable Member in-charge of the Department or is it that any Government member can reply?

Mr President: Either the Government Member in-charge of the Department or any Government member to whom he might delegate his functions can reply.

The Honourable Sir John Maynard: I was about to say when I was interrupted that a great deal of stress has been laid upon the case of Dera Ghazi Khan District. It has been said that there are so few murders there that the Sessions Court has been closed. That is quite a clever argument and I must say it denotes a considerable degree of intelligence and study of facts on the part of the honourable member who made use of it. It is the case that the Sessions Court of Dera Ghazi Khan has been closed for two months, but if the honourable member had a closer acquaintance with the true state of affairs there he would know that one of the striking features of this district is that a very large number of cases are not dealt with by ordinary courts at all, but are dealt with by *jirgahs* under the Frontier Crimes Regulation.

Chaudhri Afzal Haq: Only 11 cases.

The Honourable Sir John Maynard: Dera Ghazi Khan is notorious for crimes of violence and murder and the sword is very frequently used in the course of fights which occur there. That is in accordance with my own personal experience. The point which was made on the Government benches in regard to the risk of communal or other riots and the possible use which might be made of swords in the course of them has, I think, to some extent been missed by the honourable gentlemen who opposed it. The risk is this. I may explain the matter a little more so as to show what is in the minds of those who use arguments against the sword. Those bodies which are now training themselves in a particular manner for the purpose of improving their physique and other such purposes are not at all unlikely to get themselves trained in the use of sword if the sword became a common article of wear. That is one of the risks of making it too easy to get possession of a sword and withdrawing the present restrictions allowing the people to use swords.

[Hon. Sir John Maynard.]

The next point that I wish to draw the attention of the House to is that the sword is a much more useful weapon for attack than for defence. Those people who depicted the possiblity of honest householders defending themselves with the sword when they were attacked by raiders must, I think, have been somewhat ignorant of the actual conditions under which these attacks occur. Very often, it may be that the possession of arms by people who are not capable of using them properly attracts the attention of raiders and thieves. The stealing of arms is of course an object which we all know is present in the minds of this class of persons and there is the risk that if the honest householder who is not accustomed to use arms should possess them, that would be an additional reason for paying him a visit to carry off what he possesses.

One argument has been put forward which I think must have come very near to creating a slight difference of opinion between the different sections of supporters of this motion. It was said that one particular community had received the right to carry a particular weapon and that weapon is now held to be virtually for legal purposes identical with a sword, and further as that community had not abused its rights, there was no risk of other people abusing them. As to that, I will only say this: we have been very frequently assured that the particular gentlemen who enjoy this privilege are absolutely free from all suspicions of violence of any kind and are completely prevented by their religious persuasion from ever making any improper use of this particular article. I accept that argument and I am convinced that there is no risk in entrusting these religious people with that instrument (Hear, hear.) We cannot therefore infer from the conduct of people who so strictly observe the rules of their religion that other people would be equally careful to abstain from making use of this weapon if it were conferred upon them. I asked in my former speech to the Council, what were the actual reasons for which people wish to make use of swords. I waited and listened in vain and I heard nothing until at last the honourable member to my right got up and did indeed offer some suggestion as to the actual reasons which prompt people to have swords. He said, he wanted it as a privilege. Well, let me assure him, with the experience of one who has occasionally had to wear the sword with uniform, that it is a very inconvenient privilege. He had far better use a walking stick.

Mr. President: Grant under discussion, motion moved—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

The motion was carried.

Sardar Tara Singh [Ferozepore (Sikh) Rural]: Sir, I regret very much for the very poor attendance on the part of honourable members of this House and it is for that reason that I refrained from moving many of my amendments that were tabled by me, but the present amendment which I intend moving is so serious that I cannot help moving it. This question of separation of executive and judicial functions has been discussed both inside and outside the Councils for the last forty years . . . . .

Rai Bahadur Lala Sewak Ram: The Honourable Member is making his speech without moving his amendment.

Sardar Tara Singh : I shall move my amendment at the end of my speech. I was saying, Sir, when I was interrupted that this question of separation of judicial and executive functions has been agitating the public mind for over forty years and in the last Council, in the year 1921-22, a certain committee was formed by the Government and it submitted its recommendations to the Government to the effect that both these functions, namely, executive and judicial functions, should be separated. Not only that, even last year there was an amendment to this effect and it was passed in this Council by a majority of votes. This Council expressed in the most unequivocal manner that these two functions should no longer be vested in the same officers. Sir, it has been said by all wise men that the mainstay of Government, especially a foreign Government such as the British Government, is the quality of justice that it administers to its subjects. So long as people have firm faith in the justice of Government, they stick to it in spite of inconveniences and troubles, but as soon as this faith is shaken, no amount of palliatives will compensate for this rude shock. Justice is the most difficult of all things to be administered. A human being is a human being after all. He cannot divest himself of all other propensities when he is doing a certain thing. Supposing there is an Extra Assistant Commissioner, taking him as an ordinary individual, unless he is a very spiritual man we cannot expect him to so differentiate himself as to suit different occasions. When he goes to a court as a judicial officer, it is really impossible to expect him to exercise absolute and a very high standard of justice in administering the law before him. The second point of difficulty is that he has to work under officers both judicial and executive. Not only that he has to so conduct himself in the discharge of his duties as to have an eye on his future prospects and he must behave in such a way in administering justice as to win the approbation of his superiors, who are both judicial and executive officers. I have no intention of raking up old sores, but in order to substantiate my statement, I will give certain instances to show that in the majority of cases which are political or semi-political in character, the magistrates are prejudiced by the instructions of general policy enunciated by the Government. I very vividly remember the days during the war when Tahsildars and Extra Assistant Commissioners were given strict instructions as to the methods to be followed in the discharge of their judicial functions, with the result that all their dealings and all their proceedings were generally prejudiced or were coloured according to the policy of the Government. There were certain cases in which the accused were let off simply on their undertaking to enlist in the army. In revenue cases, I have seen .....

The Honourable Sir John Maynard : I did not quite catch what the honourable member said just now. Will he mind repeating his last sentence ?

Sardar Tara Singh : There were certain cases in which the accused were let off on the understanding that they would enlist in the army. I know in several instances when a magistrate of the first class goes on tour, he not only goes out to discharge his judicial and executive functions, but also he goes to enlist people in the army. This actually happened during the days of the Great War. One fine morning the magistrate goes to a village and at 10 o'clock he delivers a lecture calling upon the people to enlist themselves in the army and thus serve His Majesty the King Emperor.

[Sardar Tara Singh.]

There is a poor response. After this work is over, he goes to the *cutchery* to attend to his judicial duties. What happens there ? A certain accused is brought before him by the police for trial. After trying the case, and after finding that the accused is guilty, the magistrate does not pronounce his sentence immediately, but gives him the option of enlisting in the army or undergoing the sentence which he might pronounce. The accused then elects to enlist in the army and thus he is let off without being punished for the crime he might have committed. This was the way in which justice was administered in the days of war. Is it any wonder that the people had a rude awakening and their faith in the British justice suffered a good deal ? What I wish to submit is that if the officer who tries cases is merely a judicial officer with no executive power, he would care a hang for the Empire and would have decided the case on its merits. No question of safety of the Empire or call of the country would have influenced the judge in deciding cases. The policy of Government to carry on an extensive propaganda of recruitment and also the prospect of promotion to officers of Government if they brought in more recruits would not have interfered with the merits of the cases that came before trying officers. The judge would have decided the case purely and simply on the merits and facts put before him. Because the officer happens to combine in himself two capacities of executive and judicial officer, his judgment is coloured from different considerations. Not only that, I have seen certain cases in which a judgment is given either for or against a person because the mind of the judge is poisoned by the fact that the person under trial has pro or ante-Government propensities. I have seen certain cases being compromised because the Government wanted to give encouragement to the parties in dispute to bring in more recruits to the army. My submission is that if both functions are vested in the same individual, he will not bring to bear on his decisions a calm, unprejudiced and unbiassed mind and he would not decide cases on their merits.

Another point that I wish to bring to the notice of the council is that in political cases when the magistrate comes to know of the general policy of Government, he always regulates his decisions to suit that policy. As an instance I may cite the case of akali agitators. In all the cases in which the akali agitators were hauled up, the magistrates were prejudiced against the accused by reason of the fact that the Government did not favour the agitation. I know of several persons who were hauled up before courts simply because they took part in Congress, Khilafat or akali movements. The cardinal principle of law is that when a judge enters his court, he has to assume the innocence of the accused until the contrary is proved. He has to keep his mind open, free from any feelings one way or the other. In the generality of cases—though there may be honourable exceptions—the Magistrate presumes the guilt of the accused and he always is inclined towards the prosecution which is against all canons of law in any country of the world. If people incur the displeasure of the police, criminal cases under section 107 or 110 are at once launched against them and these cases inevitably end in convictions because of the prosecuting tendency of the magistrates. It is high time that the Government takes steps to instil confidence in the minds of the people. If the two functions are separated, the judge will decide cases according to the dictates of his conscience without allowing any extraneous considerations to weigh with him in his judgment.

I can tell the House that in a large number of instances several persons were prosecuted because they fed the akali jathas passing through their territory. This has been going on for a pretty long time. I remember that in last year the late Chief Secretary Mr. Craik said in this Council that Government had issued orders that in future the magistrates should exercise their discretion in prosecuting people whose sole crime was that they fed the akali jathas passing through their territory. What I mean to submit is that the law was there, and yet it was not honoured by the magistrates. We cannot blame the magistrates because they were administering the law to suit the policy of the Government. If the law existed in the same way as it did before the speech of the Chief Secretary, where was the necessity for the Chief Secretary to get up in this Council and say that the Government had issued orders to the magistrates to exercise their discretion in prosecuting people whose sole offence was that they fed the akali jathas? Does this not conclusively show that there is a great danger in combining judicial and executive functions in the same individual?

The Council then adjourned till 2 P.M. on Friday, the 12th March 1920.

PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Friday, the 12th March 1926.

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

ANNOUNCEMENT FROM THE CHAIR.

PUBLIC ACCOUNTS AND STANDING COMMITTEES.

Mr. President : I have to announce to the Council that under Articles 120 and 131 of the Punjab Constitutional Manual, Volume II, the Public Accounts Committee and the twelve Standing Committees have to be constituted for the next financial year. The number of members of these Committees to be elected by non-official members are as follows :—

Public Accounts Committee ...		... ...	6
Finance	8	Local Self-Government ...	6
Canals	8	Public Health	6
Jails	5	Agriculture	5
Industries	5	Education	8
Co-operative Societies ...	5	Land Revenue	7
Excise	5	Police	4

Elections for the non-official element of these Committees will be held on Thursday, the 18th March 1926. Nominations of candidates for each of these Committees should reach the office not later than 12 noon on Tuesday, the 16th March, 1926. Nominations should be made in writing to the Secretary and be signed by not less than two members, and the member nominated must signify his willingness to serve if elected.

Special attention is drawn to Article 135 of the Punjab Constitutional Manual. A member cannot serve on both the Finance and the Public Accounts Committees.

QUESTIONS AND ANSWERS.

FLOODS IN THE GURDASPUR TAHSIL.

2822. **Maulvi Mazhar Ali, Azhar :** (*a*) Will the Government kindly state—

(*i*) what area of land in the Gurdaspur tahsil was flooded in the years 1912 to 1925 on account of overflow in the Beas ;

(*ii*) the names of the villages whose sites have been destroyed (*a*) totally or (*b*) partially during the years 1912 to 1925 ;

[Maulvi Mazhar Ali Azhar.]

(iii) the estimated loss of human lives from floods during the period ;

(iv) the estimated loss of cattle due to floods during the period ?

(b) Is it a fact that on account of floods from the Beas and percolation from the Upper Bari Doab Canal—

(i) the whole area called the Kahnuwan Chhamb has been for a very long time a haunt of malaria ;

(ii) the cattle have been contracting diseases and dying in large numbers on account of eating grass covered with various sorts of flood deposits ?

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

FLOODS IN THE KAHNUWAN CHHAMB AREA OF THE GURDASPUR TAHSIL.

2823. Maulvi Mazhar Ali, Azhar: (a) Is it a fact that the Kahnuwan Chhamb area of the Gurdaspur tahsil is often suddenly flooded on account of the rainfall in the far off mountains when there is no sign of rain in the plain area itself ?

(b) Is it a fact that in 1914 and 1925 especially the area was suddenly flooded at night time and people were caught in their beds, the resulting loss of life and property being very heavy ?

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

RECLAMATION OF KAHNUWAN CHHAMB AREA.

2824. Maulvi Mazhar Ali, Azhar: (a) Is it a fact that soon after the annexation of the Punjab by the Government, the question of reclaiming the Kahnuwan Chhamb area of the Gurdaspur tahsil came under consideration by the Government ?

(b) Is it a fact that a duplicate scheme of draining the area and erecting a bund to protect against the floods of the river was contemplated in 1851 and levels were taken in that year in order to ascertain the feasibility of the measures contemplated ?

(c) Is it a fact that a drain was erected along the centre of the Chhamb and a defence bund called the Pakhowal bund was completed in 1863 ?

(d) Is it a fact that original drainage scheme comprising branches at every half mile was never completed ?

(e) Is it a fact that the Pakhowal bund was occasionally repaired during the next thirty years ?

(f) Is it a fact that later on the bund was not kept in order ?

The Honourable Mian Sir Fazl-i-Husain: The honourable member is informed that the information is not available at present. Enquiries have been made from the local officers and the result is awaited. Complete information will follow.

PAKHOWAL BUND.

2825. Maulvi Mazhar Ali, Azhar: (*a*) Is it a fact that Sir Louis then Mr. Dane, in his Gurdaspur district settlement report of 1890 remarked that the swamp area had not diminished since the erection of the Pakhowal bund extending from the village Lahri to the village Jagatpur and he further considered the bund to have been positively injurious?

(*b*) Is it a fact that the question was considered in 1893 by Lieut.-Col. J. W. Ottley, Chief Engineer, Irrigation Works, Punjab, and he strongly differed from the view taken by the Settlement Officer and reported that the removal of the bund would not improve the condition of the land behind it, but would, on the contrary, probably lead to widespread injury and disaster and that consequently the Pakhowal bund should be carefully maintained?

(*c*) Is it a fact that in the year 1895, the bund had been breached by river action in five different places to a total width of about 850 feet and is it also a fact that by the order of the then Deputy Commissioner of the district the bund was breached in five new places situate close to each other, making a total gap of about 803 feet and the warnings of the Chief Engineer were utterly disregarded?

(*d*) Is it a fact that the bund was gradually neglected later on and was eventually destroyed in 1914, washing away with it several villages?

The Honourable Mian Sir Fazl-i-Husain: The honourable member is informed that information is not available at present. Enquiries have been made from the local officers and the result is awaited. Complete information will follow.

FLOODS IN THE HOSHIARPUR AND GURDASPUR DISTRICTS.

2826 Maulvi Mazhar Ali Azhar: (*a*) With reference to the answer to part (*g*) of question No. 2357,* will the Government be pleased to lay on the table the copies of the reports received from the Hoshiarpur and Gurdaspur districts?

(*b*) Has the Government finished the consideration of the reports? If so, what is the conclusion the Government has arrived at? If not, how long will it still take the Government to thoroughly consider the matter?

(*c*) With reference to the answer to part (*i*) of the question, does the Government propose to appoint a committee of inquiry to report on the measures to be adopted to reclaim the lands already rendered unfit for cultivation and prevent further injury to land and villages threatened by the river action?

The Honourable Mian Sir Fazl-i-Husain: Further information has been called for and the matter will then be fully examined by Government.

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* Vol VIII-B, pages 1666 67.

DESTRUCTION OF VILLAGES JAGATPUR, ETC., BY FLOODS.

2827. Maulvi Mazhar Ali, Azhar: (*a*) With reference to the answers to part (*d*) of question No. 2357,* asked on the 11th December 1925, will the Government be pleased to state whether the villages of Jagatpur, Chhala, Saidowal, etc., were not destroyed after the diversion of the Chhakki channel?

(*b*) With reference to the answer to part (*e*) of the question, will Government be pleased to state whether any other bund worth the name was constructed excepting the Pakhowal bund? If so, will the Government please state the names of the bunds constructed, their dates of completion and their dates of destruction, if any have been destroyed so far?

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

SPECIAL FORM OF ASSESSMENT IN KAHNUWAN CHHAMB AREA.

2828. Maulvi Mazhar Ali, Azhar: With reference to the answer to part (*h*) of question No. 2357,* will the Government be pleased to state whether in the year 1891 in many villages in the Kahnuwan Chhamb area of the Gurdaspur tahsil a special form of assessment was in force? If so, will the Government please state what was that form of assessment? Does the same system exist at present or was it abandoned? If so, when?

The Honourable Mian Sir Fazl-i-Husain: A fluctuating system of assessment was introduced in 1878 and has never been abandoned.

TAKKAVI ADVANCED TO PEOPLE IN THE GURDASPUR TAHSIL.

2829. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state—

(*a*) the amount of *takkavi* advanced during the years 1923, 1924 and 1925 to people in the Gurdaspur tahsil;

(*b*) the amount advanced during those years to people in the Kahnuwan Chhamb area?

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

AKALI PRISONERS.

2830. Maulvi Mazhar Ali, Azhar: Will the Government kindly lay on the table a statement showing—

(*a*) the number of Akali prisoners, convicts or undertrials, who secured their release by signing the undertaking referred to in His Excellency the Governor's speech in the Legislative Council on 9th July 1925;

* Vol. VIII-B, pages 1166-67.

(b) the number of those who were released on verbal undertaking;

(c) the number of those who since 9th July 1925 have been released after completion of their sentences; and

(d) the number of those who are still undergoing their sentences or trials?

The Honourable Sir John Maynard: The latest statistics are being collected and will be communicated to the honourable member when ready.

QAZI MURAD ALI, SUB-INSPECTOR IN CHARGE OF MAKHI POLICE POST.

2831. Sardar Dhira Singh: (a) Is it a fact that Qazi Murad Ali, Sub-Inspector in charge of Makhi police post in collusion with certain people arrested two men and charged them with unlawful possession of chhavis?

(b) Is it a fact that further police investigation exposed that Qazi Murad Ali was responsible for putting up these false cases?

(c) Is it a fact that he was reverted to the rank of a head constable?

(d) Will the Government kindly lay on the table a copy of the enquiry and the order passed against the said Sub-Inspector?

The Honourable Sir John Maynard: Enquiries are being made. The answer is not yet ready.

TRANSFER OF CHINIOT TO LYALLPUR DISTRICT.

2832. Rai Bahadur Lala Sewak Ram: Does Government propose to transfer Chiniot in the Jhang district to Lyallpur district? If not, does Government propose to create it a sub-division or to post an Extra Assistant Commissioner with first class powers?

The Honourable Mian Sir Fazl-i-Husain: No.

CONNECTION OF CHINIOT BY RAILWAY FROM SANGLA HILL.

2833. Rai Bahadur Lala Sewak Ram: Does Government propose to request the Railway Board to connect Chiniot by railway from Sangla Hill?

The Honourable Mian Sir Fazl-i-Husain: The construction of a railway between Chiniot and Sangla Hill as the first part of a line from Sangla Hill to Khushab is already under consideration by the Railway Board.

CHIRAGAHS IN COLONY DISTRICTS.

2834. Rai Bahadur Lala Sewak Ram: Is it a fact that Government is selling lands from the *chiragahs* in certain villages in the Colony

[R. B. Lala Sewak Ram.]

districts? Has Government reserved any area for *chiragahs*? If not, has Government any objection to fixing a certain portion of the net area in each village as a *chiragahs*?

The Honourable Mian Sir Fazl-i-Husain: 10 per cent. is reserved for *chiragahs* and it is only the land in excess of it that is sold.

ARTILLERY PRACTICE NEAR CHANDIGARH.

2835. Sardar Gurbakhsh Singh: (*a*) Is the Government aware that artillery practice again took place this year near Chandigarh and villages round about Mani Majra, tahsil Kharar, district Ambala? If so, will the Government please state for how many days it lasted and for how long the military encamped there and state further the names of villages ordered to be evacuated and for how many days?

(*b*) Is the Government aware that this causes very serious inconvenience and material loss to the population of the ilaqa affected and if so, will the Government please state what it intends to do in the matter?

(*c*) Will the Government please state whether any compensation has been paid this year and if so, the names of the persons to whom compensation has been paid with their residence and the amount of compensation allowed to each?

(*d*) Is the Government prepared to consider the desirability of awarding land in the Nili Bar colonisation schemes to the inhabitants of these villages? If not, why not?

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

WATER SUPPLY FOR AMBALA CITY.

2836. Sardar Gurbakhsh Singh: Will the Government please state whether the scheme of providing adequate water supply for Ambala City has been prepared by the Sanitary Engineer? If so, will the Government please lay on the table and state what action the Government proposes to take for financing the scheme?

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

DRINKING WATER IN SIRSA TAHSIL.

2837. Sardar Gurbakhsh Singh: Will the Government please state what action it has taken to provide drinking water in Sirsa tahsil of the Hissar district? If no action has been taken, will it please state why not?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The honourable member is referred to the replies to Council Questions Nos. 502* and 2383† and to clause (*b*) of part (*i*) of Council Question No. 1714.‡

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* Vol. VII, page 38-9.
† Vol. VIII-B, pages 677-78.
‡ Vol. VIII-A, page 880 and Ap. VIII, page xxiv.

2838—2844.—*Cancelled.*

THAL PROJECT.

2845. **Mian Muhammad Shah Nawaz:** Will the Government be pleased to lay on the table—

(*a*) a copy of the Revised Edition of Thal Project, 1924;

(*b*) a copy of the Thal Lesser Project, 1925?

The Honourable Mian Sir Fazl-i-Husain: It is not in the public interests to do so at this stage of the progress of the case.

2846—2851.—*Cancelled.*

GOVERNMENT'S DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION (RESERVED) GRANT.

Mr. President: The Council will now resume the discussion on the demand for General Administration (Reserved).

Sardar Tara Singh [Ferozepore (Sikh), Rural]: Sir, yesterday I was developing this argument that the magistracy in general have got more regard for the executive orders than for law that stands on the statute book. I was citing the case of certain instructions that were issued by the Chief Secretary for the stoppage of further prosecutions of those who were feeding the *jathas*. What I meant was that the law under which those persons were prosecuted existed before and after the issue of the instructions by the Chief Secretary. If the two functions of executive and judicial were not combined in one person the magistrate would not care for these instructions. If the entertainment of the *jatha* was an offence before the issue of the instruction it was equally an offence even after the issue of the instruction. But the order of the Chief Secretary shows that it was his order that was the law and not the law itself. That is why, Sir, I submit that if the two functions were separate and were exercised by separate persons the magistrate will work according to law as it stands and several prosecutions would have been avoided.

Another point that I want to bring before the House is that the lawyers who appear before the magistrates sometimes hear from these officers that though a certain ruling has been given by the High Court they will not abide by them, but will only act according to the instructions issued from time to time by the District Magistrate. I remember recently a friend of mine was appearing in a court and he applied for bail. The magistrate said that he would follow the orders of the District Magistrate. On this point it was the District Magistrate that was his High Court and not the High Court itself. If that magistrate had not the executive authority, he would have released that man on bail. What I mean to impress upon the House is that the discretion of the magistrate is fettered by the instructions and by the orders that are issued by the headquarters officers from time to time.

[Sardar Tara Singh]

Again, Sir, there is an impression among the people that the magistracy is under the influence of the police. The District Magistrate is an executive officer, the chief police officer and the judicial officer. All these three functions are combined together in one man. In many cases it happens that the magistracy has to be defeated in competition with the police officers. That is why there is great corruption in the police department. That is why the defects in police investigations are covered by the magistrates on account of these fears. I know, Sir, that in a certain case when summons had been issued to a Sub-Inspector of Police who had to appear in a certain case, he replied—

الا م ہوئی فرصت ہوئی تو حاضر خدمت ہوجاؤنگا۔

(Noted. I shall present myself if not busy otherwise.) This is the way in which somtimes summons are obeyed by the police officers. If that officer had been an independent officer, if he had been a judicial officer pure and simple, he would have taken that police officer to task and would have run him down for contempt of court. He did not do so because the District Magistrate would have otherwise come down upon the magistrate. Because he feels the pinch that he is working under an executive authority he cannot exercise his discretion independently and purely on judicial questions.

Another point, Sir, that I want to raise is that because the magistrate happens to be both an executive and judicial officer therefore the outturn of work is generally small. He looks upon the executive work as more urgent and as more important and relegates his judicial work to a secondary place. Generally we see in the mufassil these magistrates are busy in seeing visitors and holding durbars and they attend to their judicial work only after they have finished their executive work. In this way not only the quality of work is not satisfactory, but the amount of work that is turned out is not satisfactory. I see that every budget session the number of magistrates is increased. This year I observe that provision has been made for 39 additional Extra Assistant Commissioners. It is because the magistrates at present do not turn out enough judicial work that a necessity arises to increase their number. I remember in the case of certain magistrates that the number of cases on their file is about 30 and those thirty cases could have been finished in one month, if they do not attend to any executive work that is at present entrusted to them. My submission is that because there is a combination of executive and judicial functions that both the quality and the quantity of work turned out is not satisfactory. If the two duties are separated, then there is surely a chance of an improvement.

There is another thing which I wish to mention and I do not know whether I mentioned it yesterday or not, that is these magistrates do not look to the Sessions Judge or the High Court as their authority. They have to look to the District Magistrate as their final authority. They depend for their promotion on the good will of the District Magistrate. Their annual statement of work is checked by the District Magistrate and not by the Sessions Judge. These magistrates have to run the whole machinery in the light of the policy of the District Magistrate who in his turn is guided by the policy enunciated by the Government. This dual function of the magistrate should be separated at the earliest occasion.

I need not adduce other arguments, because this subject has been discussed again and again not only in the Council, but outside. I fail to understand the difficulties of the Government in carrying out this much needed reform. Probably it may be said it involves a great deal of expenditure. My submission is that it is bound to involve expenditure whether it is taken up now or given effect to ten years hence. But this is a reform which has to be effected. Probably the Government might say that the time is not opportune, that it is not practicable from the point of view of economic stringency. But this year, we have a surplus budget and it has been described a good year by the Honourable the Finance Member and my submission is that is the most opportune moment to give effect to this long felt reform. I see that the Government has asked for temporary additional Extra Assistant Commissioners. This is generally the tactics played by the Government and the local bodies. In the beginning they ask for temporary hands and eventually they are made permanent, so that the strength of every department is thus increased slowly and steadily. This year the Government asks for 39 Extra Assistant Commissioners. If the Government should separate the judicial and the executive and place the two different duties in the hands of different persons, I am sure this amount, which is spent every year by way of employment of temporary hands will become unnecessary. Therefore this bogey of lack of funds should not stand in the way of bringing about this reform. Lot of money is provided for bungalows of the various officers in each and every department. Surely the construction of these bungalows is not so urgent as this matter of separation of executive and judical functions. The construction of quarters for these officers can afford to be postponed for some three or four years, and this question of separation of executive and judicial functions should be taken up in hand immediately. I therefore appeal to the Government to carry out the wishes of the House, not only of the wishes of the House but those of the whole public at large." With these few words, I move :

"That the total grant be reduced by Re. 1".

Mr. President : Grant under discussion, motion moved :

"That the total grant be reduced by Re. 1".

The question is that that motion be adopted.

Chaudhri Duli Chand [Karnal (Non-Muhammadan), Rural] (Urdu) : Sir, separation of judicial and executive functions is a crying necessity for the regeneration of us, Indians. With respect to this urgent demand of the country, I would like to bring to the notice of this Council the following four points. First, under the present system justice is very costly because an officer who combines in himself both the executive and judicial functions generally goes on tour in connection with his executive work at a distant place and the poor litigants have to incur additional expenditure. Secondly, justice is not fast and rapid because judicial officers are not able to dispose of their judicial cases owing to the pressure of the executive work. The cases are postponed from one date to another, and so on, without any regard being paid to the inconvenience and hardship which the litigants have in the case. Thirdly, the judicial work is from time to time interfered with by the executive work, the files of which frequently pour in during the hearing of the cases and justice is delayed. Sometimes cases are disposed of hurriedly without due consideration and without the application of a judicial mind. Fourthly, the subordinate magistrates approach the cases with a mind whic

[Ch. Duli Chand.]

is pre-occupied with certain ideas and they pass orders in accordance with policy which is set by the District Magistrate. For these four reasons I beg to say that it is but fair to the people that these functions should be separated.

Maulvi Mazhar Ali, Azhar [East and West Central Towns (Muhammadan), Urban] (Urdu): Sir, the tribunals of justice are generally established to impart justice to the litigants who come and lodge their complaints, but if the system of administering justice defeats the very object of justice how can the Government claim that its tribunals are such where justice is given impartially. In the present system the judicial and executive functions are combined in one person and owing to this combination various kinds of difficulties and discrepancies crop up. Besides this if we look into the relations which exist between the judiciary and the police, we will find, and I can say with my personal experience, that when a case comes up before a magistrate he does not deal with the case immediately but he hesitates until he gets an inkling from the executive as to the manner which should be adopted. He deviates from the path of impartiality and submits to the influence or pressure of the executive. In all, the magistrate is constable, prosecutor and judge. Sir, the magistrates in the district look for their promotion and advancement to the District Magistrate who is interested in executive matters. It is, therefore, not reasonable to expect from the subordinate magistracy to approach the cases which come up before them for decision with an independent mind. It cannot but result in the undesirable miscarriage of justice. And if a certain magistrate is bold enough to act according to his judicial mind, he is liable to incur the displeasure of police or some other Government officer.

Then, Sir, sometimes certain instructions are issued on behalf of the Government as to how the magistrate should pass sentences and how the bail applications should be treated. It shows that somehow or other the discretion of the magistrates is fettered and they do not act with a free will. Before passing on from this point I would like to point out that not only the first class magistrates are approached in this manner, but sometimes if a Sessions Judge goes counter to the wish of the Government he is also in a way influenced. Now, Sir, if higher tribunals like courts of Sessions are poisoned, directly or indirectly, what could be the state of affairs in lower courts? These two functions should therefore be distinct and separate because they are likely to clash with each other. Sir, I may be permitted to allude to another aspect of the case. A revenue officer who combines in himself both the executive and judicial functions cannot discharge his judicial duties with a free mind. He is likely to get worried by the executive work. He is not able to dispose of his revenue work and consequently the justice is delayed. The cases are postponed from one date to another without any regard to the stake which the litigants have in the case. Sometimes he fixes the date of hearing at a far off place from the headquarters and the poor litigants are dragged from place to place.

Sir, in this Council, it was perhaps last year, that a resolution was passed that Revenue officers be directed that they should not take up cases at distant places from the headquarters. But inspite of this resolution and instructions, which I think Government have issued, no heed is paid to the inconvenience and hardship of the parties and dates of hearing are

fixed just as before. May I ask what was the use of passing that resolution and why those instructions, if any, of the Government have come to nought?

The Honourable Sir John Maynard: Sir, I could not quite catch what the honourable member has said with regard to *hidayat* (instructions), what kind of *hidayat* he is referring to.

Maulvi Mazhar Ali, Azhar (continued in Urdu): Sir, I was saying that instructions which were issued by Government last year regarding the hearing of Revenue cases on tour, etc., are not acted upon in 50 cases out of hundred and justice is delayed and rendered very costly. If their official superiors ask the reasons for these defects, the Revenue officers generally reply that their executive functions oblige them to go on in this manner. I have no doubt that Government desires to improve the present machinery. It issues orders and instructions from time to time and calls for explanations as regards these things. But in all cases the reply is one and the same, *i.e.*, executive work interferes with the judicial work. Under the circumstances when people find it difficult to get justice they leave off their complaints.

The inevitable result of the present system is that political trials affecting the general political life of the district are not always conducted in that atmosphere of cool impartiality which should pervade a court of justice. A court of justice should never be the bed-rock of rule. It should be above suspicion. It should not be used to crush the spirit of freedom and liberty. Under the present system the national spirit is being crushed. Sir, it is a patent fact that it is somehow contrived to get a man convicted who has had the misfortune of incurring the displeasure of the head of the executive. In short, the conviction generally depends upon the good will of the District Magistrate. He either insinuates his subordinates indirectly or sets a certain policy of action and ultimately in each and every case there is always a likelihood of a miscarrige of justice. Sir, this question of separation of judicial and executive functions has been discussed *ad nauseum* by all responsible bodies and it needs no new arguments. It is high time that Government should come forward and satisfy the old and just demand of the people of this province. The combination of judicial and executive function has been stigmatized as improper and unjustifiable and it has been frequently strongly advocated that the total and complete severence of the two functions should be made. But I think the Government is afraid of losing or lowering its prestige by separation of these two functions. Surely prestige cannot be a substitute for justice. In fact, the present system serves the Government well in regard to the demonstration of its prestige and power. For political purposes such ways and means are adopted that tribunals must be liable to injury and the authority of justice itself must be abused and misapplied. In reality the Government sounds a note of warning through its tribunals that unless one does co-operate with Government he should not expect to get impartial justice in the present courts of justice. It has been frequently alleged, Sir, that Government is prepared to grant self-government, but people are not fit for it. In this connection I must confess that it is the Government itself which puts hindrances in the way of the political advancement of the country. Government is trying to crush the national spirit and is creating and impression that if people do not act and behave according to the wishes of the Government they will suffer. I may be

[M. Mazhar Ali, Azhar.]
allowed to point out that Government is welcome to overawe the people by giving demonstration of its power through airships and heavy artillery just as General Dyer exhibited the British supremacy and intended to create an impression by shooting unarmed masses in the Jallianwala Bagh at Amritsar until the ammunition was spent up, but it is not fair to adopt the present system of justice for crushing the spirit of freedom and rendering the people degenerate.

Mir Maqbool Mahmood [Amritsar (Muhammadan), Rural]: Sir, the proposition that the judicial and executive functions should be separate needs no argument. It has been urged for years by the spokesmen of Indian sentiment and Indian feeling from the Congress and elsewhere for years and I find that on behalf of Government Lord Dufferin definitely accepted it as a counsel of perfection which should be considered as soon as funds allowed it. Therefore, Sir, on this question both the Government and the people of India stand committed. The question is to see the practicability or the ways and means of carrying out the suggestion. In this province, Sir, this question has a history behind it. In October 1921, my honourable friend Mian Muhammad Shah Nawaz, the member for rural constituency from Lahore, moved a resolution asking for the separation of judicial and executive functions. That resolution was carried. In answer to that resolution a committee was appointed presided over by no less an authority than the Honourable Mr. Justice leRossignol. In March 1922 that committee gave a report in favour of the adoption of the separation of these two functions and also suggested a tentative scheme of carrying out the proposal. That committee also recommended that the expenditure on this scheme would be eight lakhs non-recurring and seven lakhs recurring. In August 1922, the Maulvi Muharram Ali Chishti, who is not here today, put a question asking what had been done by Government on that report. The Government replied that they had referred that report to a committee of official experts to give their opinion. After that, so far as I am aware, the House has not been informed as to what has been the report of that committee, whether the committee advised the acceptance of the proposals of the committee or rejected them or suggested any amendments and advanced any arguments for or against them.

Secondly, if I remember aright, last year a discussion was actually raised on this very motion and in the course of that discussion the Finance Member got up and made a definite statement and in that statement, if I might say so, he put certain members of the Council in an awkward position. He said if you carry out this amendment (it was an amendment under General Administration) Government will take it to mean that the Council—I would like to read his own words.

The Honourable Sir John Maynard: The honourable member will find it on page 744.

Mir Maqbool Mahmood: I am grateful to the Honourable Finance Member for referring me to the page. The honourable member said:

> "I shall understand that the vote of this Council in favour of this reduction is a distinct expression of the wish that money shall be expended to the extent reasonable and necessary for the separation of functions out of the new resources which we expect to be given to us by the Government of India."

That is to say, if the members of the House passed that motion, the honourable member said it would be interpreted as an expression of opinion that funds out of the Provincial contribution shall be earmarked for this purpose. At that time some members thought that it would put us in an awkward fix, whether to put executive and judicial functions over compulsory education and certain other proposals, and that was a very tight position. But in spite of that this House accepted that motion, I mean the cut on General Administration, and I submit that we are entitled to ask the Honourable Finance Member what effect was given to that expression of opinion after that definite declaration which he made on that proposal.

After the speeches of the honourable members who have preceded me, I would not like to go into the merits of the question, whether it is desirable or not, nor would I like to go into the details of the question which were referred to in the debates last year, but I would like to make one or two definite suggestions. I admit that in certain parts of the report of that Committee they have not any definite or clear cut scheme, but they have certain practicable suggestions to carry out. Apart from that there is no end of literature on the subject on the part of the Congress and the Council in which definite suggestions have been made, and on the basis of that it should not be impossible for anybody who is genuinely anxious to carry out that proposition to evolve a scheme and if Government out of that report and the literature cannot evolve a workable scheme and carry out that scheme, let it appoint a committee. I submit, therefore, that the Finance Member should come forward and tell the Council that there is this defect in the Report of the Committee or any other minor defect in that Report.

Then, Sir, I also admit that in certain parts, I may say that so far as the civil law is concerned, there has been the separation of the judicial and executive functions, but the resolution which was passed by the Council last year considered all these propositions and considering all these propositions advised, requested and recommended that there shall be a separation of judicial and executive functions and I submit to the Finance Member and Government to act up to these and not to treat the resolution and the report of the committee presided over by a Judge of the High Court of the standing of Mr. leRossignol in that scant way. Apart from that I submit, as I repeated last year, that so far as I can see there will be a certain amount of administrative inconvenience, but that amount of administrative inconvenience is certainly warranted by the sense of oppression and discontent which the continuance of judicial and executive functions together gives rise to in this Province and in the country as a whole. Last time I quoted the authority of such an eminent man as the late Mr. Gokhale. Whatever administrative inconvenience you may have it is certainly worth while considering the question of the sense of oppression. He said: "* * the sense of oppression and discontent to which it gives rise is infinitely more serious than any administrative convenience which may result from it." With the remarks that it will be possible for the honourable member to make good his declaration which he made last time, I resume my seat.

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural]: Sir, yesterday, while the debate on the subject of the exemption of the sword was going on in this House, the Honourable the Chief Secretary remarked that there was no demand on the part of the people for the withdrawal of the Arms Act so far as the sword was concerned. This question before the House today

[Pandit Nanak Chand.]

is such that it has been continuously agitated and there has been a continuous demand on the part of the people that there must be a separation of the executive and judicial functions. The Indian National Congress in 1887 for the first time passed a resolution that there should be a separation of the executive and the judicial departments. Thereafter, continuously during its 18 sittings year after year the Indian National Congress gave expression to the opinion of the people that these two departments must be separated, because they alleged grave injustice and abuse of justice in the matter of the administration. During the life of the first Council, as has been said by the honourable member who spoke last, a resolution was passed urging the separation of the two departments, thus showing the unanimous view of the people on this point. Not only that, the Government appointed a committee over which a judge of the High Court presided. That committee presented a workable scheme for the separation of these two departments. Now also in the present Council gentlemen representing different communities and different sections of views have spoken to the same effect. Can you say in the face of all these facts that there is no solid demand, that there is no solid desire on the part of the people for getting a separation of the two departments effected.

Now, Sir, if you do not accept this suggestion, if you do not carry out this reform, it merely means that you are setting at naught the will of the people. You do not desire that anything should be done by the Government to meet the demand which has been so forcibly put forward from year to year. That is the construction which the people at large are liable to give to the reply of the Government.

Looking at the merits of the case, you find that there cannot be a stronger case on behalf of the representatives of the people. Because the judiciary and the executive are combined in one person, you cannot possibly say that the person who decides cases is not influenced by other objects than the mere desire of doing justice between man and man or between the Government on the one side and the accused on the other. Magistrates after all are human beings, they, like other people, are led or misled by their own desires or by the desire to carry out the wishes of the executive. Cases have on various occasions been pointed out where the head of the district has tried to influence the decision. Only the other day I was reading in the newspaper that in a certain district, the District Magistrate tried to influence the administration of justice. That case I believe must have come to the notice of the Government. It was reported in the *Tribune* a few days ago. If you want to prevent the abuse of justice, it is necessary that you should make the judiciary absolutely free from the executive. There is no use for the Government to go on postponing this reform which is immediately called for. It might be said that this would be costly. Sometimes this argument is urged by the Government. But, now that you have got a surplus budget, now that you have got extra income, is there any earthly reason why you should not give effect to the resolution passed by this Council as also by the Council that preceded it? Is there any earthly reason to postpone the scheme now on grounds of expense? This cannot now be an excuse for the Government to flout the wishes of the people.

An impression is unfortunately being created that the Government will not yield unless Government is forced to do a certain good thing by such movement as non-co-operation, etc. When non-co-operation was at its

height Hindus and urban Muhammadans for the time being were united and their resolution was respected by the Government by the appointment of a committee to consider this question. This showed that Government was prepared to consider the question favourably. Now that non-co-operation is gone, even though the people are united in their demand for the separation of these functions Government keeps quiet and allows the matter to hang on. If it is the desire of the Government to once more regain the confidence of the people, it is absolutely essential that such moderate demands as have been put forward should be accepted without any loss of time. With these remarks I support the motion.

Mr. J. M. Dunnett (Chief Secretary) : Sir, I have listened with the greatest attention that I can command to the speeches which have been made on this very important subject. I have very carefully taken notes of the arguments used, chiefly with the object of noting down those points where our present administration of criminal justice lacks either in efficiency or in purity of justice. As this subject has for years, for more than a century, been a battle-ground of theorists, and as mere theory on this extremely important question of the peace and order of the province is likely to lead us into very dangerous actions, I have paid little attention to theory, to mere theory, to mere assertion that the source of justice is poisoned. I shall, Sir, with your permission, invite the attention of the House to those criticisms which are made on our present administration, with regard to its efficiency and the purity of the justice which it affords. I suggest that the House, after considering these matters should then consider how it can remove those defects and how far such removal will take us towards the complete separation of functions which is proposed.

There are, it seems to me, two ways of dealing with this question. Let me start with the theory. If you accept the theory of separation and close your eyes to other considerations, then your practical course should be that you should hand over the judicial officers to the High Court. The High Court will manage the staff, recruit the Extra Assistant Commissioners, promote them, post them and have their well-being in their hands. That is one way of doing it. It involves of course exceedingly serious dangers in the way of criminal administration. But it seems to me that the wise and responsible way of advancing is to examine our existing machinery, and to consider where it has fallen short of efficiency, where it has fallen short of affording that justice between man and man which it is the duty of Government to afford, what steps we must take to remove those defects and then how far those steps take us towards the separation of the judicial and the executive. It was on these lines, Sir, that I listened to the debates, and it is on these lines that I have studied the vast literature and the criticisms of our administration.

I understand the criticism of our criminal administration to be that as regards magistrates they are insufficient in number, insufficiently trained, and inexpert, that their judicial work is from time to time interfered with by administrative duties, that because of the preoccupations and habits induced by administrative duties they lack judicial acumen, that they are influenced by the Deputy Commissioners, and that they are terrorised by the police. Now, Sir, I shall welcome any interruption at this stage that brings to my notice any fair criticism which I have overlooked or any inadequacy in my statement of criticisms. Without being influenced by

[Mr. J. M Dunnett.]

any predilection in favour of or against these arguments I have endeavoured to summarise them perfectly fairly. If the supporters of this motion say that the magistrates are insufficient, then I am not going to join issue with them, because that is a question of fact which I am personally willing to investigate, considering the volume of work in each district, the outturn of work which may reasonably be expected from a magistrate and the staff required in each district to perform other duties. Therefore, I would offer no opposition to the suggestion that we should carefully investigate the sufficiency of our staff. Similarly it is said, and this is cognate to the question of the sufficiency of the establishment, it is said that at times the magistrate is pre-occupied by a large number of other duties. Again, sir, I am perfectly prepared to examine in detail the suggestion to alter that position and to consider in each district the provision of an establishment which would be engaged solely on magisterial duties, and consequently of an establishment employed only on general duties, and the prohibition of the use of magistrates for any other duties but judicial work. Again, Sir, it is said that the magistrates are inexpert and receive insufficient training. (*A voice: No.*) If that has not been urged, I will not waste the time of the House on that point. (*A voice: Nobody said that, nobody made that criticism*) An honourable member said that justice should be cheap, justice is dear, justice is slow, the magistrates are inefficient, they are taken off for other duties. I wish to be perfectly frank and plain. This is a point on which I will not offer opposition. All these questions I am perfectly prepared with an open mind to examine. I am prepared to examine all practical suggestions. Provided the Council will grant the money, I shall arrange for better training, arrange that the magistrates are not diverted to other duties. I speak subject to what my honourable friend sitting before me may say, but my own point of view is to consider with the greatest generosity and sympathy suggestions of that nature, to provide an adequate number of magistrates, to provide a magistracy employed solely on judicial duties and to provide by the method of selection and by the method of training, by the use of efficiency bars and by other methods that they become progressively more expert, and that they keep their technical equipment bright.

But, Sir, that does not cover the whole case. We now come down closer to questions of fact and the two big facts that are alleged are—and I think they have been urged on this occasion—that the magistracy are under the terror of the police and under the influence of the Deputy Commissioner. On this occasion, I think, I may take advantage of my previous experience as a District Magistrate and at the risk of even referring to such unappetising documents as High Court Circulars and Orders, must take the honourable members of this House, with your permission, Sir, into a little detail. By the *dabau* of the police, I ask, not only what is meant, but to what is it due. In the course of my service it has been a subject of great interest to me because the independence of the magistracy, not only their independence of the police, but the complete independence of the magistracy in forming its opinion of the guilt or the innocence of the accused, has always been a subject which lay very much between my own conscience and myself. Therefore I have been exceedingly anxious in all the districts in which I have been in charge to see that the magistrates are not under the *dabau* of the police. I have had occasions for some years to consider how the *dabau* of the police has been imposed and to what cause it is due. The *dabau* of the police rests on the fear of charges of corruption,

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on the consciousness that magistrates are likely to be lenient and irresponsible, but most of all on the intimate relations between the Superintendent of the Police and the Deputy Commissioner and on the power of the latter. What form does it take? One form that it takes is that whenever the police are dissatisfied with the action of the magistrate they send for the file. Now, Sir, honourable members of this House who are acquainted with the High Court rules and orders are aware that the power of calling for the file rests only with the District Magistrate and the sub-divisional officer. That is the law of the criminal procedure code; that is, files relating to administrative matters must be sent for by no police officer under the rank of the Deputy Inspector-General of Police or the Inspector-General of Police. In my view, a great deal of the police *dabau* has risen from the fact that Deputy Commissioners have allowed the Superintendents of Police to send for magisterial files all along—I am speaking quite frankly in this instance, and I wish to speak quite frankly if allowed—the Superintendents of Police are allowed to scrutinise magisterial files and to initiate appeals and revision, and so on, against the orders of the magistrate. That is one way. Well, Sir, I think it is known to most people that, to a very large extent, it is a thing of the past, and that the modern District Magistrate, very usually by the procedure of working hand in hand with the magistracy, by the procedure of having monthly meetings of his magistrates and discussing with them the state of affairs and the state of the district and the state of crime, is steadily putting his magistrates on their feet,—to borrow the phrase of my honourable friend who used it in a political connection,—and that there is no reason whatever under the existing law, instructions or practice why the magistrates should be under the *dabau* of the police. Now, Sir, as far as the power of the police rests on fear of accusations of corruption and similar accusations, no establishment is going to be free from it. You may separate the magistracy and put them directly under the High Court and they will still be open to all these accusations if they are deserved. The honourable member, whom I am glad to see assenting to my argument on this point, mentioned the Sessions Judges. He was particularly hard on the subject of the power of the police over imagistrates in political matters and therefore he suggested that the magistracy should be separated from the executive side and removed from the control of the District Magistrate. But his enthusiasm outran his dialectic discretion when he went on to say that the Sessions Judges are under the police.

Maulvi Mazhar Ali, Azhar: I did not say that they are under the influence of the police. But I said that they are approached by the executive in certain cases and are asked to take certain action.

Mr. J. M. Dunnett: I regret to have misunderstood the honourable member. I understood him to say that the police influence extended to Sessions Judges also. Now, Sir, Sessions Judges are just a magnified instance of the type of officers you wish to create and if the Sessions Judges who are separate, completely distinct from the executive, are not free from this *dabau*, is this scheme going to save officers of the new type from this defect, which you now see in the administration? The answer is, no. You will not save them.

This is a very long subject, an extremely interesting subject, a subject with which as a district officer I have had to do a great deal. I have taken a great deal of the time of the House and I must hurry on. I come now to

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the influence of the Deputy Commissioners, and here again I wish to be perfectly frank, and I must ask the House to consider why the Deputy Commissioner has any influence over the magistrate. But first I wish to say merely in passing that instances where the Deputy Commissioner directs the magistrate or induces the magistrate, or puts it into the magistrate's mind that such and such an accused must be found guilty are as rare as snow in June. It is not the practice. No Deputy Commissioner indicates to his subordinate magistrates that a particular man should be convicted or let off. The spring of justice is not corrupt in that way. If you allege it on a general view, if you take a general view and say, it must be so, then I will ask you to justify your position from the statement of convictions in the province and from the statistics of the success of appeals. If it is the general practice, if it is a legitimate ground for general complaint that the innocence or guilt of an accused depends on the pleasure of the Deputy Commissioner, then do you expect that the Deputy Commissioner will be content with the figures that are now presented of convictions and release. There is no justification for the assertion that the Deputy Commissioner secures conviction. Well, Sir, that was off the main line of argument, and I do not wish to waste the time of the House, but I shall ask the House to consider why the Deputy Commissioner has authority over the magistrates. You may refer me to section 17 of the Criminal Procedure Code. But we are going down to the bedrock now. Why has the Deputy Commissioner got such authority? The answer is because the power of appointing, promoting, posting, reducing, punishing, and retiring magistrates rest with the Government. That is the ultimate fact, that is the ultimate question and do you wish to transfer that to the High Court? You cannot get away from it. There is no use blinking the fact. That is the ultimate question.

Now, Sir, I ought to be logical, I ought, if I were dealing with the question fully, to go on and then consider which system will be more efficient in maintaining law and order in the province. I am bound to say that I believe the other system will not give you cleaner justice. I am also bound to say, it will not give you cheaper justice, nor will it give you faster justice. I wish to cast no aspersion on the other branch of the judiciary. Will you look at the duration of cases there? Will you, out of your own experience, those members of this House who are legal practitioners, will they compare the methods of disposal of civil business and of criminal business and say that they wish to entrust the safety and security of the province to that procedure?

Well, Sir, I could go on indefinitely on this subject because, as most honourable members have done, I have thought a great deal about it, and before sitting down I wish to refer to one argument which has been advanced, and that is, that we have had the report of a committee presided over by a learned Judge of the High Court which examined the question in detail. I regret to say that I must suggest about that report that it took the line which I now deprecate; that is to say, as it is described by the honourable gentleman who praised it with such eloquence, it laid down if you like a principle, but provided no scheme. Now, Sir, I tremble when I think of dealing with criminal administration in this fairly turbulent province on those lines, to start with a theory and apply it and then say the scheme will grow. After all you are dealing with men's lives and property, and you must start with what is feasible and practicable and reform it with he greatest enthusiasm and sympathy if you like, but do not start with a

theory and then impose it on what is the life and security of the province, lightly, without counting the cost. Therefore the general suggestion that I make to the House is this: do not expect the Government to accept this theory straightaway and then hand over the Extra Assistant Commissioners to the High Court along with 15 lakhs and be done with it. On the other hand, rest content with this assurance—I shall not say assurance because it is too big a word for a small mouth—do expect from the Government the assurance that those defects, serious defects which are alleged against our criminal administration, are at the present moment being examined with great care, and that Government in considering reforms will not be deterred by considerations of expenditure, nor will it be deterred by the fear that anything it may do to cure these defects will ultimately lead to the separation of executive and judicial functions. Separation, believe me, is not a bogey that terrifies Government, but all these things will be taken up, the provision of a magistracy devoted solely to judicial duties, expert magistracy, a magistracy which will make justice cheap, rapid and efficient. Be content with that and do not ask Government to swallow a theory and to pay out and have done with it (Cheers).

Khan Bahadur Chaudhri Fazl Ali [Gujrat East (Muhammadan) Urban] (Urdu): Sir, the defects and disadvantages of the present system have been dealt with at length by the speakers who have preceded me. I had no intention of intervening in this debate but for the fact that some defects which have been alluded to are quite baseless and without substance. At least to my mind they appear so. One of the defects mentioned is that when some officers go on tour and fix the hearing of cases at distant places it entails a considerable amount of additional expenditure and justice is delayed. Perhaps these officers are tahsildars and revenue officers who frequently go on tour and it is against these officers that this complaint is referred to. In this connection I may point out that much can be said for and against this plea. In fact when these officers try cases while on tour the justice is imparted to the itigants right at their doors and they are not required to attend the courts at headquarters which generally lie at distant places. I think in far off villages where petty quarrels arise it is expedient that these matters be disposed of at the scene of occurrence. We should not level criticism against Government indiscriminately. It behoves us in this Council to be all the more careful in going into this matter and to bestow our best attention on it.

It is said that by separation of these functions, justice will be imparted more impartially and efficiently. I am unable to understand this argument. In view of the fact that all the officers have to pass one and the same standard of examination and that they are equally qualified, how can it be inferred that when a judicial officer severs his connection from executive work he will be more impartial and efficient? Does it mean that when he combines these functions in himself he is dishonest and when he severs his connection with one function, he will become more just and his conscience will undergo a change by mere changing the chairs of executive and judicial posts. We should not attribute motives. I have no objection with respect to the separation of the judicial and executive functions but I may point out that the argumants which have been advanced in favour of this proposition are not convincing. One argument was used by my honourable friends that District Magistrate induces the subordiate magistracy indirectly or Government exerts its influence over the District Magistrates who in their turn indicate their policy and the subordinate magistrates are required to

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follow it. Sir, I deny this fact. Just now in this very Council I asked one of the magistrates whether it was true that they were asked to follow a certain policy. I may tell the House that he emphatically contradicted this statement and so do I. If you want to remedy this defect you can do so only by changing the present Government. It is utterly wrong that Government contrives to influence the magistrates. I have also been working as a magistrate for the last three years, and I can safely testify that this statement is utterly wrong. Moreover, Sir, it has been said that under the present administration justice is abused and misapplied. I cannot help saying that this argument is also very flimsy. Let us suppose that these two functions are separated, can it be inferred that with this separation the administration of Government will also undergo a change? If not, then what is the use of this separation? Sir, I am at a loss to understand why my honourable friends are using such arguments which are quite unconvincing. Another argument has been adduced in regard to political matters. It is stated that under the present system the Police and Deputy Commissioner get convicted persons who happen to be of political bent of mind. I beg to differ. May I ask my honourable friends: if the system is changed, will the Government ignore all kinds of offences and will the police leave out all prosecutions? I think this is not the case. It is the duty of the State to bring each and every criminal and offender to book. As I have said before if Government thinks it proper to separate these two functions it may do so, I have no objection. But for the arguments, advanced so far, one is not convinced that the present system calls for a change.

Then, Sir, it has been remarked that we have got surplus money which can very well be utilized for this purpose. Sir, for the last few days whenever a proposal is put forward it is urged that surplus money can be used conveniently. I am surprised to note that my friends are ignoring other important subjects such as Sanitation, Canals, Education and Public Works and that they are pursuing this futile object. We should spend money on more beneficent matters, or if you are bent on spending it otherwise please do spend it proportionately so that other necessary demands may not be neglected.

Sir, it has been stated that judiciary must be placed under the High Court. I think in that case justice will also be delayed, and in support of my statement I can cite a number of cases where judgment was delivered after a period of more than two years. So, this argument also falls to the ground.

In conclusion I beg to say that my honourable friends have enumerated the defects of the present system but they have not cared to throw light upon the merits of the system. In my opinion, Sir, these advantages are innumerable. At times the advice of District Magistrate helps a great deal in settling up certain matters. The control of Deputy Commissioners is highly beneficial for the magistracy, and the present system should not be altered without considering all the aspects of the case. With these words, Sir, I request the members of the House to be all the more careful in going into these very important matters.

Chaudhri Afzal Haq (Hoshiarpur-*cum*-Ludhiana, Rural) (Urdu): Sir, the whole trouble is about the thing to which the honourable gentleman who has just sat down has referred in the concluding portions of his speech. This is a political question, and there is no doubt that Government cannot afford to turn the post of the Deputy Commissioner into a

harmless ineffectual and comparatively unimportant post of the Collector. By so doing the Government will lose all chances and means of official high-handedness. Mr. Dunnett told us that no District Magistrate or Police officer ever influences a magistrate or asks him to decide any case in a particular way. It may be so. But does the Government deny that District Magistrate is a superior officer to the Police Superintendent, and that in fact the District Magistrate is the head of the Police administration in the district. And though he does not ask the magistrate in so many words, to decide a case in a particular way, he adopts so many other ways to influence him. When crime increases in a district, the District Magistrate calls the Police officers of the district and asks them to adopt measures to check the increase of crime. These Police officers then launch cases against *badmashes* under sections 109 and 110. And you know what happens if a magistrate acquits the accused. Sir, I have been a Police officer myself, and though I cannot claim a very long experience at my back, I have enough of it to know how these prosecutions are carried on. In 1918-19, when I was posted at Ludhiana, cases were started against *badmashes* under sections 109 and 110. We had convictions in each case, but we know what a dirty work it was. I remember that *badmashes* were imported from outside with instructions to give weapons to the local *badmashes* so that convictions might be obtained. Whatever the Government might say the fact remains that it is all due to the amalgamation of judicial and executive functions. This is what happens in ordinary criminal cases. The political cases, you know, are quite a different affair. Everything is fair in such cases. This tall talk of justice is all an idle show. In fact these police and administrative officers form a clique, and they do whatever they like. This is about the ordinary cases and only those who have had something to do with the political agitation or who are lawyers and have seen such cases can tell what happened in political cases in 1921-22. They know how justice was sacrificed at the altar of political expediency. Even the Government had to institute an inquiry into these cases to see if justice had been properly administered.

Now, Sir, when there was an agitation and political life in the country Government appointed a commission to go into the matter of separation of judicial and executive functions. It defrayed all the expenses of an inquiry. But now that the agitation has subsided and the country is quiet, we find that the Government disagrees with the principle as well. The appointment of the commission in 1922 by the Government indicated that it agreed to the principle. Last year's speeches show that the only hitch in the way of the adoption of the recommendations of the committee was the financial stringency. This was also admitted in reply to a question of mine. But, Sir, to-day we have been surprised to hear Mr. Dunnett opposing the whole principle. Sir, people are losing their faith in all the activities of the Government. They feel that under the pressure of stiff political conditions, it expresses its agreement with a principle, but when the situation is a little bit eased it refuses to act on that principle. Sir, the arguments which have been advanced to-day may have been acceptable to us if they had been advanced during the last 20 years when the Congress has been agitating for it. Then the Congress was not the political body it now-a-days is. It was then merely a begging institution. It has been passing resolutions since those days. And though the Government recognised the principle in 1921 we find that to-day it believes in no such thing and regards such a separation of functions

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as impracticable. We, Sir, could have believed in such queer reasoning but we are endowed with a little sense of discrimination and can see for ourselves what is good and what is bad. We cannot be expected to believe in such sermons unless we are convinced through experience that this is really impracticable and useless. Is not such a thing being worked in Madras? Has that Government been ruined? If it is possible of translation into practice in one province under the same Government why is it not then practicable here? Even if it had not been in vogue anywhere it was your duty to accede to so strong a demand of the people and, after putting it into practice for a time, to show through facts and figures that it has not succeeded and that it should be abandoned. But I am surprised to know that they call it impracticable before even trying it. The Government in fact yields to a demand just to suppress a political agitation but when there is no demand then it refuses to act on it. How is the Government justified in refusing justice to the people in a way in which they themselves want it to be administered? If you want to keep your domination over the country, well, keep it as long as you can, but why do you thrust upon us a foreign system of administration of justice and spurn the demand of the people? You may be opposed to this separation of the two functions, but do not ignore the persistent demand of the people, give it a trial and leave it if it fails.

Now, Sir, Mr. Dunnett made a splendid speech. It was a very clever speech, and to a man who has not studied the case well, the speech would appear very convincing and irrefutable. But it was based upon objections which he coined himself and then tried to answer them (Laughter). Now, Sir, he has considered this Council simply as a debating club and like a clever debator who when he finds that he has to champion a lost cause takes resort to such tactics, he has raised certain imaginary objections and has tried to meet and meet them very successfully. Thus he has tried to create an appearance of a very strong case.....

Mr. J. M. Dunnett: On a point of personal explanation, Sir, I challenged any member at the time to interrupt me and say that my preliminary description of the objections was inadequate or unjust. No one said a word.

Chaudhri Afzal Haq: Yes, all of us accept the challenge. We are suffering, Sir, from a disease and that disease is that Government is after killing the spirit of freedom in us and the people are after obtaining freedom. Now, Sir, there has been a man called Louis Kune who suggested one treatment for every disease. Our disease is one and its treatment is also one. If the Government were not faced with the problem of killing the spirit of the people the attitude of the Government would have been quite different. It would have said, well, here are a set of people who want justice to be administered in a particular way, why should we not let them have it. We have our own way of administration of justice as far as Europeans are concerned. Why should we bother about these people. Let them go their own way. This, Sir, would have been the feeling of the Government if it were not faced with the problem of fighting and curbing the spirit of freedom in the people. But as it is, it does not want us to feel like free people and though it does not profess as much, the way it governs us is significant enough of this. It is patent from its action that it wants to suppress our love of freedom. By giving such arbitrary powers to the District Magistrate it wants to show that it must keep the prestige and *rub* of the Government.

Then, Sir, my friend Khan Bahadur Chaudhri Fazal Ali said that his friend and himself who are magistrates had never been influenced in their judgments by anybody. But, Sir, may I know if you believe that any magistrate will admit any pressure being put on him. Now, Sir, Mr. Dunnett fails to understand why a magistrate should be influenced by the District Magistrate when the appointment, transfer and promotion of the magistrates is in the hands of the Government. But, Sir, may I know on what information does Government act in these matters? It acts on the recommendations of the District Magistrate. Can you deny that? This is a matter of every day experience. Can any honorary magistrate resist such direction? Well our friend Khan Bahadur is a strong man and so is his friend, but may I know how many men are there who are strong enough to resist it if and when such a thing comes? There are so many on whom pressure is brought to bear and still they do not have the courage to admit it.

Sir, last year the attitude of the Government and its officers was different. The debates moved entirely on a different pivot and there was only one difficulty which, it was argued, was in the way of this advance, the financial difficulty. But this year we find the debate runs in different channels. The result is that even the non-official members have changed their skins. Perhaps, they have very convenient memories. Last year my friend Khan Bahadur Chaudhri Fazal Ali voted for the resolution and even spoke in its favour, but this year we find him opposing it, perhaps because this year the demand has been connected with the name of the Congress and the Khilafat (Laughter). I would refresh his memory a little. Last year he talked something about good results accruing from the Sub-Divisional Officers of the canal being deprived of magisterial powers and asked for an extension of the experiment. But to-day he opposes the motion. The Government expresses its willingness to grant every demand of the public. But when the thing comes to giving, it behaves like the grocer who when asked for anything says that he has not got that particular commodity in stock. Sir, such attitude of the Government is destroying all faith in the Government. I, therefore, hope that it will find its way to agree to this long-standing demand.

Khan Bahadr Nawab Muzaffar Khan (Director, Information Bureau) Urdu: Sir,

هر کس از دست غیر نالہ کند

سعدی از دست خویشتن فریاد

(Everybody is crying of the wrongs done to him by others, but Sadi's complaint is against nobody but himself.)

Whenever this question comes up for discussion the poor service to which I have had the honour to belong is made the target of criticism. Last year when this discussion was raised, I submitted and I take this opportunity to submit once more that it is not correct to hold that all the magistrates are dishonest..... (*A voice: Nobody said that they were dishonest*). It is dishonesty to decide cases according to what the District Magistrate suggests. It is indeed the greatest dishonesty.

Sh aikh Muhammad Sadiq: It is an honour to do so.

Khan Bahadur Nawab Muzaffar Khan (continued in Urdu): Sir, I protest against the statement that these magistrates decide cases according

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to the dictates of the Police Superintendents. Sir, we expected from this House that it will appreciate the good work we do and will seek to improve our prospects for higher appointments and afford us encouragement. On the other hand I find that we are being condemned and considered unfit even to hold our present appointments.

(*A voice*:—*We want to free you from official dictation*). Sir, I have also a complaint against the honourable Mr. Dunnett. He has defended the Deputy Commissioners saying that they never interfere with the judgments of the magistrates, but how well it would have been if he had added that even if the District Magistrates tried to do so the magistrates would not listen to these suggestions. Sir, here are three of the magistrates, Khan Bahadur Chaudhri Fazl Ali, his friend next sitting, I mean near him, and myself. We all declare that we have never had any suggestions from anybody in the decision of cases. You ought to believe these honourable members. During the 20 years of my service, I have never had any occasion to complain of such a thing .....

Pandit Nanak Chand: How many political cases has the honourable member tried?

Khan Bahadur Nawab Muzaffar Khan: I cannot answer this question off hand, for I have no figures before me, but I tried a good many cases as Additional District Magistrate, Lahore.

Chaudhri Afzal Haq (Urdu): How many of your relatives have been political prisoners?

Khan Bahadur Nawab Muzaffar Khan: Not a single one, I am proud to say. I was asked how many political cases I had tried. I decided a good many and never was any pressure put on me to decide a case in a particular way. It would not be out of place to mention here that it was a member of our service who heard the recent Simla coolly case and gave his opinion without any fear or favour. There may be a few black sheep, but you cannot on their account brand the whole service. It is not that the District Magistrate dictates to them but the reason is elsewhere to seek. There are, I am ashamed to admit, some magistrates who are dishonest. They convict the accused in police cases in order to cover their drawbacks and remain on good terms with the police, while they accept bribes in other cases. The convictions of the accused by them are not due to any pressure put on them, but are simply due to the weakness of such magistrates themselves. But, Sir, the remedy for such perversion of the justice does not lie in the separation of the two functions. It lies, as said before a few days ago, in the creation of public opinion against such actions. Very good results can be obtained if our public opinon were so educated as to look down upon the actions of such magistrates. Then, Sir, it has been suggested that the work is delayed. Let me again refer to my experience as an Additional District Magistrate. I remember that we had to submit fortnightly reports showing how many cases were pending in our courts and of what duration they were. We had to show cases pending for more than one month, two months and three months respectively. Now, Sir, the submission of such reports created a very healthy spirit of rivalry to clear off the work as early as possible, and it was very seldom that a case was allowed to remain pending for more than three months. It is, therefore, wrong to believe that the work is delayed through this system. We should not give an *ex-parte* verdict. We should try to consider both the sides. With these remarks I beg to resume my seat.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] Sir, there is an old Persian proverb which says: *Kas nami goyad ke dogh-e-man tursh ast*, which when translated means: "No *dahiwala* will say that his *dahi* is *khatta*." Sir, to expect a Government to condemn its own action is as difficult as it is to expect a *dahiwala* to say that his *dahi* is *khatta*. My honourable friend the Nawab Sahib has been beating about the air to find out something in support of his position. But the cause of combined executive and judiciary is so stinking that he can hardly find any cogent reasons to support its retention as it at present exists. This vesting of the magistrates with dual responsibility has been condemned all over the country. An act was passed in the mother of Parliaments separating the executive and the judicial functions in England, and still my honourable friend Mr. Dunnett supports this system in India. Even my honourable friend's political *guru*, the Secretary of State for India would not advocate the retention of this dual responsibility in the same individual. This question of separation of judicial and executive functions has been agitating the best minds of this country for the last forty years and all people including the Indian judges demand that there should be separation of these two functions. During the budget discussion of last year a discussion was raised on the same question of separation of executive and judicial functions and the late Chief Secretary Mr. Craik said that that reform was an essential one and that it would be introduced gradually. He also said in effect that the reform would be introduced completely if enough money was forthcoming. We find now the present Chief Secretary, Mr. Dunnett, coming out in his true colours and opposing the demand for the separation of the two functions, which his own Government thought fit to investigate by the appointment of a committee to go into the whole question. What was the meaning in appointing a committee, if the Government had no idea of acting up to the recommendations made by the committee? What is the fun of appointing a committee, if you do not intend to attach any value to their deliberations and conclusions? The Government has not changed. The Government of Sir Edward Maclagan appointed a committee, and there is no reason on earth why the Government of Sir Malcolm Hailey should not, so much as, even have a look at the recommendtions. There is now the same Finance Member as was at the time of the appointment of that committee. Is it that the Honourable Sir John Maynard has entirely changed his mind, after putting one foot on the ship at Bombay and returning back for six months to the Punjab? (Laughter). What is it that has changed the Honourable Finance Member from his former views?

Sir, you will always find that there are two sides to a question. If there was no other side, there would be no reformation in the world. The people want to push on this reform, while the Government says there is no necessity for this reform at present. The Government says: whatever the people might say, we are going to sit tight. But I warn the Government to introduce this reform now lest the agitation should take a serious turn, and I assure that the thing is not going to rest here. Does the Government want to see a revolution in the country before it can wake up to its responsibilities and introduce this long felt reform? The Indian National Congress and various other conferences in this country have been clamouring for this reform for the last forty years. Does the Government want that there should be a widespread agitation, does the Government want that there should be a revolution, does it want to see another agitation like that of

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Akalis before it can concede to this much-needed reform ? Does the Government want to see the whole of the Punjab turned into Akalis for the purpose of agitating for the separation of the executive and the judicial functions ? If there is agitation on the same scale which the Akalis conducted, then Government will say : No, we cannot give you this reform, because you are agitating ; you must co-operate and then we will bring about the reform. Now when we peacefully ask for this reform, the Government says : No, there is no necessity for it just now. If the Government takes up such an unreasonable attitude, how can there be co-operation ? The Government wants co-operation, what sort of co-operation ? The same co-operation as the wolf in the fable wanted from the lamb. Wolf said : let us co-operate. Lamb said : how. Wolf said let me eat you up. Sir, does the Government want this sort of co-operation. The Government asks us to leave every form of agitation so as to deserve reforms ; but when we listen to the Government's behests and peacefully ask for reforms, then the Government says : no, this is not the right time. How can you expect the people to rest content with their lot ? I warn the Government that their attitude towards popular demands will pave the way for greater non-co-operation than has been practised hitherto. If to-day some of the opposition benches are empty, if to-day the Government finds that some of the honourable members have walked out of the Council, if on this account the Government feels that they can oppose this legitimate demand of the people with impunity, if the Government is to-day sure of winning a victory over the non-officials, let the Government beware that ere long, it may not be this very Council but other people will come into this Council who will fight this cause to a finish and wring out from the Government this much needed reform (Hear, hear). We are not attacking the Government, we are not attacking the Deputy Commissioners. Human nature is the same everywhere. Probably if I were sitting in the place of Mr. Dunnett, and he, in my place, I would have taken the same attitude as Mr. Dunnett now takes (Laughter). The Honourable Sir John Maynard sitting on the Government benches has to defend not what his conscience says is right, but has to defend the policy of the Government, no matter whether his conscience says it is right or not. And I, sitting in the same place as the Honourable the Finance Member will have to act exactly in the same manner as he does now. So let us not talk of conscience. Autocracy whether brown, black or white, is all one and the same. It is the system that we condemn. I know a certain Government member told me that he did not like the Motor Vehicles Tax, yet when the motion was put to the House he had perforce to vote with the Government giving the quietus to his conscience. It is what is called common courtesy that requires the Government members to vote solidly with the Government on all propositions whether they believe it in their conscience good or bad. They have to surrender their conscience to the dictates of policy enunciated by Government, and so there is no question of the fact whether the officials are honest or dishonest in the discharge of their duties, because it becomes routine with them. Do the Government benches search their conscience when they stand in their black coats like a phalanx of Akalis to vote against us ? No, certainly not They vote because they are ordered to vote whether they like or not, and they have to be guided by the wink of the Honourable Finance Member.

My honourable friend Mr. Dunnett said that the Deputy Commissioners never use any influence over the magistrates in the discharge of their judicial duties. My honourable friend is thoroughly mistaken in thinking that the

Deputy Commissioners do not wield any influence over the magistracy. Supposing there is a magistrate by name Chaudhri Fazl Ali. Whenever he meets the Deputy Commissioner—he has often to meet him because he is his official superior—the Deputy Commissioner will not tell him : well, so and so, punish this man or acquit that man. The Deputy Commissioner will simply casually say : well, Chaudhri Sahib, what about such and such a case in which so and so is accused ; what is your opinion about him ? This hint from the Deputy Commissioner is enough for the subordinate magistrate whose very existence depends on the good will of the Deputy Commissioner. The subordinate magistrate will read the intentions of his superior officer and conduct himself in a way suited to his superior officer. This is how the thing is done, and I do not think my honourable friend Mr. Dunnett will be unaware of this. Supposing the Deputy Commissioner wants a man to be convicted, he will simply say to the magistrate : well, Chaudhri Sahib, what about this fellow, he is making a lot of *gar bar* in the province. The magistrate is not so thick-headed as not to read what his master wants him to do, and so the person who makes a lot of *gar bar* in the province is booked for jail. In this way during the days of political agitation so many people were convicted because they got into disfavour with the magistracy. I do not understand why my honourable friend Mr. Dunnett should shut his eyes to the actual facts and say that there is no pressure from above exercised over the magistrates. What I submit is that the Englishman has got brains, and it is because of this he is ruling this country. The Englishmen have got a power behind them and power is the great help for brain. The Government have arranged the whole machinery of administration in such a way that it would work automatically, even if this person or that person is absent.

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The reason why the Deputy Commissioners exercise extraordinary influence over the magistracy is that they hear the appeals of honorary magistrates, they recommend the names of second class magistrates for appointment. It is in the hands of the Deputy Commissioner to transfer cases from the file of one magistrate to another. In fact he has got so much power as to make or mar the career of subordinate magistracy. I am not condemning the Deputy Commissioners, but I am condemning only the system whereby it is possible for a single individual to exercise so much power. I do not complain because the Deputy Commissioners are Indians or Englishmen. I would make the same complaint even if they were Indians. They are after all human beings, and they cannot be expected to do full justice so long as the present system of administration continues. We are living as it were in a vicious circle, and even if you put the best man to fill the office of the Deputy Commissioner, however good he may be at heart, he will have to follow the policy of Government and regulate his conduct so as to suit that policy. The Deputy Commissioner need not tell the Extra Assistant Commissioner or the *thanedar* to punish such and such a man or to acquit so and so. There is always the fear lurking in the minds of the Extra Assistant Commissioners or the *thanedars* which compels them to do things that the Deputy Commissioner would wish them to do. They are so capable as to read the intention of the Deputy Commissioner. But if magistrates are got under the control of the Sessions Judge they can be quite independent of the Deputy Commissioners and can decide cases according to merit. Because the work of the subordinate magistrates comes

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under the review of Deputy Commissioners, they have to fear the latter. If their work is reviewed by the Sessions Judge, they will not have to look to the Deputy Commissioner or the Commissioner or the Home Secretary or the Finance Secretary, but they will have to look to the law on the point and decide cases.

My honourable friend, Mr. Dunnett, was saying that he trembled to think of cases going to the High Court. The High Court is also part and parcel of Government and I wonder why Mr. Dunnett should have no confidence in the High Court.

Mr. J. M. Dunnett : I never said that.

Shaikh Muhammad Sadiq : I distinctly heard my honourable friend saying that he trembled at something. Did he tremble that if the other system was introduced he would have to hand over all his power to the High Court ? Am I right ?

Mr. J. M. Dunnett : No.

Shaikh Muhammad Sadiq : Whatever it is, he was trembling and he must have trembled to think of a Deputy Commissioner shorn of all his powers. At present the Deputy Commissioner is the fountain head of the judiciary, he is the fountain head of the Police, in fact he is the fountain of everything on earth from top to bottom. If a child is born you must go to the Deputy Commissioner. If you want to bury a person, you must go to the Deputy Commissioner. If you want to bring a dead body to a district, you must go to the Deputy Commissioner. In fact there is nothing from birth to death in which you can do anything without the permission of the Deputy Commissioner. The whole machinery of administration is so arranged that the Deputy Commissioner has got a firm hold in every item of administration. Owing to various duties that devolve upon him he has simply to rely on his head clerk and in many things he simply puts his signature to the dictation of the head clerk. We cannot blame the Deputy Commissioner for his overwork and he cannot be expected to look into every item of detail and this is an additional reason why there should be a separation of judicial and executive functions. This would leave more time to the Deputy Commissioner to attend to his executive duties.

My honourable friend Nawab Muzaffar Khan, I do not know which constituency he represents, waxed eloquent and found fault with the members of this House for attacking the poor old servants of Government. None of us attack the magistracy because we know the consequences if we fall into their disfavour. Everyone of us is afraid of the members of Government and even I myself am sometimes afraid.

I submit that Government should bring about this reform immediately. It is the policy of Government to divide and rule in this country, and they must follow to its logical conclusions that policy of dividing functions and ruling, by separating the judicial and executive functions (Laughter). No harm can come. If instead of Mr. X sitting as Deputy Commissioner and attending to judicial duties if Mr. Y happens to sit as Sessions Judge and discharges his duties, what harm is done ?

The Honourable Sir John Maynard : What is the difference ?

Shaikh Muhammad Sadiq : There is a world of difference. Mr. X. sitting as Deputy Commissioner has to look to the Honourable the Finance Member for his cue, whereas Mr. Y sitting as Sessions Judge has to look for the rules and orders to the High Court which is a little farther from this place. (Laughter). Mr. X knows that the Honourable Member for Finance is the head of the Police and he is the most important member of Government and so he has to be afraid of him, and he is to be guided by the policy of Government. But while sitting as Sessions Judge he would not be afraid of anybody, but will do his duty according to the law of the land. The Chief Justice is not going to alter the decision to suit the policy of Government. Perhaps some might say that communal feelings might be instilled into his mind and some Muhammadans do condemn him, but this is not likely to be a matter of every-day occurrence. The Finance Member or the Home Member if he may be so described according to his functions has got a stranglehold on the whole executive administration of the province. He is the head of law and order, he is the head of the police, he is the dispenser of justice. If I may say so, he can be compared to a man having two favourite wives each pulling the man by his arm to her own side. Poor man, what can he do with two wives? It is very difficult, Sir, to manage two wives. (Laughter). How can he condemn the Deputy Commissioner? How can he condemn the Police? As head of the Police he has to see that law and order are maintained and he has to put into prison people who might be dangerous to the peace of the province, no matter whether the case against them can be substantiated or not. But as dispenser of justice he cannot convict an innocent man unless guilt can be proved to the hilt. Thus the combination of the two functions, namely, as head of the executive to maintain law and order and as head of the magistracy to dispense justice cannot work smoothly. The vesting of the executive and judicial functions in the same individual can be compared to a judge having a stick in hand. A judge is the personification of God of mercy sitting in the High Court. He is *khuda*. The Police are the *lathis* and a Deputy Commissioner cannot be both *khuda* and *lathi* at the same time.

Government is always harping on co-operation and loyalty. Here is an instance where the people of the country peacefully ask for a long-felt reform, a reform which justice and equity alike demand and yet the Government sits tight over the matter and refuses to concede even to the smallest extent. Where is the harm if Government is magnanimous enough to grant the request that is made on behalf of the people? For the past sixty years we have resented being called 'natives', and yet the Government took such an unconscionably long time before entering the name 'Indian' in Government records. We said that we were Indians, Indians and not natives, but the Government went on saying natives, natives, and this though we had been known as Indians for thousands of years. Similarly we have been agitating for the reforms for the last thirty years, yet it is only now we are given the first instalment of the so-called responsible Government. Does Government want us to agitate for one thousand years before it can separate the judicial from the executive? It is an irony of fate that Government should not yield to the recommendations of a committee composed of not honourable members sitting on our side of the House but of members who form part and parcel of Government and who adorn the Government benches. Even your own members agreed to the necessity of the reform, and yet you are unwilling to give effect to that recommendation. What is it

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that really stands in the way of bringing about this reform? My honourable friend Mr. Dunnett brought in the excuse of slowness of work or acceleration of work, cheapness of justice or costliness of justice and all those lame excuses from his fertile imagination. He is a very clever man indeed. He has answered to his satisfaction the questions which he created out of his fertile brain, but they don't satisfy us.

My honourable friend Nawab Muzaffar Khan coolly said that everything was well with the magistracy, and that they were not under the thumb of the Deputy Commissioners in the disposal of cases, even if there were any, he wanted us to socially boycott those magistrates who did not act according to their conscience or who sold justice. It is easy to suggest the social boycott of such corrupt officials. How dare I fling it to the face of a Khan Sahib that he is corrupt, and that I will have no social relations with him? Have I the hardihood to refuse to shake hands with him who had been honoured by His Excellency the Governor at Government House on the occasion of his investiture with the most coveted title? (*A voice: You must boycott him*). How can I? Government honours him. Perhaps the Finance Member introduces him to the Governor, recounting all the meritorious deeds done by him to Government, how can I a poor ordinary man refuse to recognise him and shake hands with him? And if I do, what does he care?

The Honourable Sir John Maynard: May I ask how all this is relevant to the question of separation of judicial and executive functions?

Shaikh Muhammad Sadiq: My honourable friend Nawab Muzaffar Khan wanted us to socially boycott these officers and I am entitled to answer him. I am not going to enlarge on the subject because the time is short. I simply want to touch upon them in passing. The people unequivocally demand that there should be a separation of the two functions, we are willing to pay the piper, we are willing to vote for any amount, foot the bill we are willing even to double the motor tax, we are willing to surrender the whole surplus, if only this reform is introduced. I appeal to the Honourable the Finance Member to go through the whole question dispassionately and satisfy the irrevocable demand of the people. As my honourable friend the representative for Montgomery asked the Finance Member, I will repeat the same request to him and ask him that before he lays down the reins of his office he will commemorate his period of office of six months after once trying to bid good-bye to this province by conceding to this demand of the people and thus win the gratitude of the people of the province. He came back only to touch the province for six months, let him turn it into gold before his departure.

I shall not take the time of the Council any more. I shall finish in two minutes. (Cheers) I do not know whether the members appreciate my finishing the speech or whether they appreciate my speech itself.

Mr. President: The honourable member has made so many repetitions of his own arguments that had I stopped him at an earlier stage I think I would have been justified. I hope he will avoid repetitions in future.

Shaikh Muhammad Sadiq: Very well, Sir. What we want is a very strong executive. But we want a judicial system, which is absolutely above suspicion. We do not want to weaken the Government. We Indians have as much at heart that Government should be strong, because we do not want that when Self-Government comes, we should conduct a weak Government

So I may say that it is not our intention simply to embarrass the Government by making these suggestions for the separation of the two functions, but we irrevocably and absolutely want the separation for the good of this country.

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

"That the question be now put."

The motion was carried.

Mr. President : Does the mover of the reduction want to exercise his right of reply ?

Sardar Tara Singh : No, Sir.

The Honourable Sir John Maynard (Finance Member) : Sir.....

Mr. President : Order, order. If the mover of the motion does not exercise his right of reply, I am afraid the Government member has no right of speech.

The Honourable Sir John Maynard : Will you permit me, Sir, to make a statement, because it is rather an important point which might interest some members of this Council ?

Mr. President : I may read to the honourable member the Standing Order bearing on the point. Under Standing Order 33 (3) "a member who has moved a motion may speak again by way of reply, and if the motion is moved by a non-official member, the member of Government to whose department that matter relates shall have the right of speaking (whether he has previously spoken in the debates or not) after the mover has replied." These last five words clearly indicate that if the mover replies, it is open to the Government member to reply or not, but that if the mover does not exercise his right of reply, the Government member has no right of speech.

The Honourable Sir John Maynard : I bow to your ruling, Sir. Unfortunately I shall be prevented from making a statement which would be satisfactory and interesting to all.

Mr. President : The honourable member may make the statement he wishes to make.

The Honourable Sir John Maynard : I will simply make a statement. There is a proposal now under consideration by Government to separate the district staff subordinate to the Deputy Commissioner into judicial and executive and it is my intention, if possible, to put before the Council in June certain proposals to give effect to that.

Sardar Tara Singh : In view of the assurance given by the Honourable the Finance Member, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Sardar Jodh Singh (Sikh Urban) : Sir, I beg to move—

"That the total grant be reduced by Re. 1."

[Sardar Jodh Singh.]

I hope, Sir, that the motion will be readily accepted by Government without any long speech on my part. I find, Sir, that the peons that are employed in the office of the Legislative Council and in the Civil Secretariat offices get only a pay of Rs. 14 a month. In former times perhaps this was thought sufficient because these red-coated peons retailed the smiles of the mighty officers whose doors they guarded. But now, I think that function of theirs is gone and I do not think a peon of the Secretary or of the Honourable the President can keep any member of this Council waiting at his door in order to make him more amenable to pay the usual *bakhshish*. Again there is a circular of Government inviting the attention of the public not to pay any *bakhshish* to these peons. In addition to these Rs. 14 a month they get their livery every fourth year. I was surprised to find that their *worthy* consists of two *pugris* and one coat, and I was wondering whether they were not expected to wear *kurtha* and *pyjamas*. Besides, these people have to live in Lahore. Therefore, Sir, I suggest that their pay may be increased to at least Rs. 20 to start with. The number of peons is not given in the budget, but I have calculated from the figures that they are about 70 in number. If these are given an increase of Rs. 6 a month it will come to about Rs. 4,000 a year. I hope, Sir, that all members of the House will support me in this demand and I do hope that the Government also will accept it. In Lahore they are not all provided with quarters. Only some are provided with quarters, while others are not. In the case of those who have to rent houses I leave it to the members of the Council to judge how Rs. 14 could suffice.

Mr. President: Grant under discussion, motion moved—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

Rai Bahadur Lala Sewak Ram [Multan Division (Non-Muhammadan) Rural]: Sir, I give my support to the suggestion made by the honourable member who spoke just now. I have already put a number of questions on this subject suggesting that these poor people do deserve some mercy at the hands of Government. In answer to a question I was told that they had got some increase due to high prices of food, etc.; and that was quite sufficient. I do not think that that is so. There is a resolution passed by this Council recommending that the pay of chaprasis should be raised to Rs. 20 and of Jamadars to Rs. 25. I came to know that a reduction was made in the number of chaprasis. I thought that by reducing the number Government intended to distribute the saving of money among the rest by way of increase of pay. I now learn that that has not been so. I think that it is better that some increase is given to these people, because these should be kept content. In former days the position of the chaprasis was worth a lot, because the Indian States used to deal with the Government and they used to give a lot of *bakhshish*. Now I do not think these peons can even make both ends meet. I am surprised that my friend suggested increase of pay only to the Secretariat office peons. I think it should apply to the peons all over the province.

Sardar Jodh Singh: I could make enquiries about the condition of peons only in Lahore. I could not make enquiries about the peons elsewhere.

Rai Bahadur Lala Sewak Ram: The principle is the same in the case of peons everywhere in the province. I therefore submit that the salary

of the peons may be increased in accordance with the resolution which has been passed by the last Council, some four or five years ago *i.e.*, to Rs. 20 for chaprasis and to Rs. 25 for Jamadars.

Mr. J. M. Dunnett (Chief Secretary): Sir, I do not think that this is a matter on which the Council will wish to spend a very great deal of time on this fourth or fifth day of the budget discussion when we have hardly proceeded a third of the way.

The pay of these peons was Rs. 9 a month up to the 1st October 1919. They then received an allowance of Rs. 4 a month in addition. The pay then came to Rs. 13. The pay was then reconsidered and revised in 1921. The present rate of pay was fixed in 1921. Those people who were appointed before that date receive a pay of Rs. 15-8-0 a month plus Re. 1 Lahore allowance. Those who were appointed after that received Rs. 14 a month and Re. 1 Lahore allowance. There has since then been a fall in the index prices. The cost of living is not higher than in 1921. There is therefore no *primâ facie* case for revising the rates which were found to be suitable in 1921.

The second point is this. In connection with pay the House will understand that it does not represent their whole pay. When you compare the pay of these peons with that of peons in private employ you must take into account the uniforms provided for them; you must take into account the leave with pay that is enjoyed; you must take pension into account; and you must also take into account the quarters provided. It is true that quarters are not provided for all the peons, though most of them find accommodation by two peons living in one quarter. Thus in 19 quarters 50 peons accommodate themselves.

Again, if you give the concession suggested by the previous speakers to the 70 persons, if you revise the pay of these people, then you will have similarly to revise the pay of the peons outside Lahore, that is throughout the Punjab and if you do this you will get into very deep financial obligations. I think the matter should be left as it is.

Chaudhri Duli Chand [Karnal, (Non-Muhammadan), Rural] (Urdu): Sir, so far as the question of an increase in the pay of the peons of Civil Secretariat and Council office is concerned, I am in full sympathy with it. As has been pointed out before, their pay is too low and then they do not get any *bakhshish*. As for the peons of the district officers, they do not deserve the same treatment because they can and do make much money by means of *bakhshish* that they get (*A voice: accepting of illegal gratification is prohibited.*) I know that, but in actual practice illegal gratification is accepted. It may be that the members of the Council are not troubled by the peons of the District officers, but the reason of this is that their position is quite different. Those who come to see the officers from rural areas are troubled as before. But this is a matter of common knowledge that the peons here at head quarters do not get any *bakhshish*. No one, as a rule, gives anything now to these peons. I take for example the peon of the Honourable the President, of the Secretary and of the Honourable Ministers. Can any one say that they get any *bakhshish*? In view of what I have said and in view of the surplus budget, I think the Government will have no objection to increase the pay of these peons. They are more deserving than the Police officers who are proverbially corrupt and whose pay, I understand, is intended to be increased.

[Ch. Duli Chand.]

With these few words I support the motion.

Sardar Jodh Singh [Sikh, Urban] : I wish to say only a few words in reply to what has been said by the honourable member Mr. Dunnett. He said that if promotion were given to the people whom I had suggested, then he will have to give promotion to all the peons in the province. I do not understand that because the grades of clerks in the Secretariat are quite different from those in the mufassil offices. Then why should a rise in the pay of peons in the Secretariat involve the raising of the pay of the peons in the mufassil. One strong reason why the pay of the peons in Lahore city should be raised is that the living is much dearer here than in the mufassil. Now the peons in the Lahore offices are given only one rupee as Lahore allowance and this is too meagre to give them a comfortable living and this does not cover the extra cost that these peons have to incur by living in Lahore.

Mr. J. M. Dunnett (Chief Secretary) : The opposition offered to this motion is not due to lack of sympathy. If it were a question of administrative necessity, it would be a different matter, but no necessity is shown. There is no necessity to squander the public money. As or special treatment to these people, why should a special concession which involves financial undertakings elsewhere be shown to these people? The honourable member asks why, on the analogy of the clerks, should there not be higher grades of pay for these chaprasis than for district peons just as the clerks in the Secretariat have higher pay than district clerks? The answer is this: the clerks' duties are different. The clerks in the Secretariat are paid higher rates of pay not because they are in Lahore and the other people are in the mufassil, but they are paid higher rates because it is a higher class of work. The same distinction does not apply in the case of peons. The peons as a class are the same here as in the other offices in the whole province. The duties do not differ. Therefore, there would, I imagine, be a cause for peons all over the province to be given the same concession as is asked for the chaprasis in the Secretariat. Therefore if the House should accept this motion, you will certainly incur considerable financial risk and unascertained financial obligations.

Mr. President : Grant under discussion, motion moved—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

The motion was carried.

Mr. President : The question is—

"That a sum not exceeding Rs. 88,41,998 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of General Administration."

The motion was carried.

GENERAL ADMINISTRATION (TRANSFERRED GRANT).

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

"That a sum not exceeding Rs. 1,33,500 be granted to the Punjab Government (Ministry of Education and Agriculture) to defray the charges that will come in course of payment for the year ending the 31st March 1927 in respect of General Administration (Transferred)."

The motion was carried.

ADMINISTRATION OF JUSTICE GRANT.

The Honourable Sir John Maynard (Finance Member) Sir, I beg to move—

"That a sum not exceeding Rs. 43,76,100 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st March 1927 in respect of Administration of Justice."

Mr. President : The question is—

"That a sum not exceeding Rs. 43,76,100 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Administration of Justice."

Malik Firoz Khan, Noon [Shahpur East (Muhammadan) Rural] : Sir I beg to move—

"That the grant be reduced by Rs. 1,00,000 with respect to the item of Rs. 1,00,000—Special Public Prosecutors' fees."

My object in moving this motion is to cut the amount that is necessary for conducting the prosecution of the Akali leaders' case. I was originally under the impression that the whole of this sum was required to conduct the Akali leaders' case. But now, I understand that the whole sum is not required for that single case . . . .

Mr. President: The substance of this motion has already been discussed, so I am unable to allow any further discussion on the same matter.

Malik Firoz Khan, Noon: I wanted only to make one suggestion and then sit down.

Mr. President: As the subject matter of this motion has already been discussed in connection with another motion, the same subject cannot be allowed to be discussed again.

Malik Firoz Khan, Noon: I shall not go into the Akali question again. My submission is that it is not necessary to engage an expensive public prosecutor for the conduct of this case. I submit that the case can be carried on with the help of the ordinary public prosecutor. Therefore I suggest there is no necessity to spend such a large sum as one lakh. There is the ordinary public prosecutor already engaged in the case and he is assisting Mr. Bevan Petman in the prosecution of the case. There are only 15 Akalis left in the jail who will probably be let off. It is very likely they will give an undertaking because their leaders too have given already the undertaking. I therefore suggest that the Government should think twice before they go on spending public money. I hope that the Government will not spend this sum in the prosecution of the case.

Mr. President: Grant under discussion, motion moved—

"That the grant be reduced by Rs. 1,00,000 with respect to the item of Rs. 1,00,000—Special Public Prosecutors' fees."

The question is that that motion be adopted.

The Honourable Sir John Maynard (Finance Member) : Sir, I merely wish to say that this is the same thing under a different guise. The object is to weaken the conduct of the case in question and to make it more difficult

[Hon. Sir John Maynard.]
for Government to present that case in a suitable fashion. Therefore it is merely, in another guise, the same proposal, that is the proposal to stop the case. My answer to it is simply this; in the words of the honourable gentleman opposite who gave this proverb to me in the very first discussion of the budget, the head of the sugarcane has gone into the mill, now let the rest follow.

Mr. President: Grant under discussion, motion moved—

"That the grant be reduced by Rs. 1,00,000 with respect to the item of Rs. 1,00,000 —Special Public Prosecutors' fees."

The question is that that motion be adopted.

The motion was carried.

Mr. President: The question is—

"That a sum not exceeding Rs. 42,76,100 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Administration of Justice."

The motion was carried.

Sardar Jodh Singh: But, Sir, there are other amendments to be moved.

Mr. President: I wish the honourable members had invited my attention to this omission before the votes were taken. I did not notice that there were a number of other motions as well on the agenda. However, as the Council has acted clearly under a mistake of fact, its decision may be treated as if it was never given or it may be considered as cancelled and it may proceed to discuss the remaining motions.

Pandit Nanak Chand: Sir, I rise to a point of order. Is it open to the President to cancel what has been decided by the Council? The Council has already voted on the demand. Is it open to the President to cancel what the Council has decided?

Mr. President: I think such a serious mistake of fact vitiates the decision of the Council. Besides, a mistake of procedure can be rectified immediately. If the honourable members do not wish to move the remaining motions, the decision will certainly stand. But if they wish to move their motions in that case the proceedings may possibly be re-opened. By not pointing out in time that a number of motions yet remained to be moved, the members concerned had, in a way, waived their right to move their motions. But may I know if they really wish to move their motions?

(No member expressed a desire to move his amendment.)

So the decision of the Council stands.

JAILS AND CONVICT SETTLEMENTS GRANT.

The Honourable Sir John Maynard (Finance Member): Sir, I beg to move—

"That a sum not exceeding Rs. 30,12,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Jails and Convict Settlements."

Mr. President: The question is—

"That a sum not exceeding Rs. 30,12,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Jails and Convict Settlements."

Sardar Jodh Singh (Sikh, Urban) : Sir, I beg to move—

"That the grant be reduced by Rs. 640 with respect to the item of Rs. 640.—One Jailor (for camp jail) at Rs. 160 (for four months)".

Sir, this cut will be accepted by Government because there is no longer any camp jail in the Lahore Fort now. This item should not stand in the budget.

Mr. President : Grant under discussion, motion moved—

"That the grant be reduced by Rs. 640 with respect to the item of Rs. 640.—One Jailor (for camp jail) at Rs. 160 (for four months)."

The question is that that motion be adopted.

The Honourable Sir John Maynard (Finance Member) : There is no longer any camp fort jail. So I accept the amendment.

Mr. President : Grant under discussion, motion moved—

"That the grant be reduced by Rs. 640 with respect to the item of Rs. 640.—One Jailor (for camp jail) at Rs. 160 (for four months)."

The question is that that motion be adopted.

The motion was carried.

Sardar Jodh Singh (Sikh, Urban) : Sir, I beg to move :—

"That the grant be reduced by Rs. 920 with respect to the item of Rs. 920—6 Assistant Jailors for camp jail (for 4 months).

Sir, these camp jails were required at Rawalpindi, Multan and Campbellpur for Akali prisoners. So far as I know the majority of Akali prisoners are going to be released before April next. In the Finance Committee this demand on the part of Government was withdrawn, but as the Budget was already in press, the item stands there. I hope that this cut will also be accepted.

Mr. President : Grant under discussion, motion moved :—

"That the grant be reduced by Rs. 920 with respect to the item of Rs. 920—6 Assistant Jailors for camp jail for 4 months)".

The question is that that motion be adopted.

The Honourable Sir John Maynard (Finance Member) : Sir, that is not quite the position. The position is this that these camp jails with the exception of the camp jail at Fort Lahore will be required for ordinary prisoners after they have been completely cleared of the Akali prisoners. I am therefore unable to accept this proposal.

Sardar Jodh Singh : Sir, that explanation was not given in the Finance Committee, otherwise I would not have moved my amendment. I do not want to stand in the way of extra accommodation being provided for ordinary prisoners if it is so required. I therefore beg leave to withdraw my amendment.

The motion was by leave withdrawn.

Sardar Jodh Singh (Sikh, Urban) : Sir, my next amendment and several other amendments are all connected with the Lahore Fort Jail. If you permit me . . . . .

Mr. President: The honourable member might move these items one by one as they are numbered as separate motions.

Sardar Jodh Singh: Sir, there is a mistake here. Instead of 15 head warders, it should be 5. The mistake should be corrected accordingly.

The Honourable Sir John Maynard: I believe I can save the time of the House. I think the simplest way would be to cut out all the items for the Fort Jail, Lahore.

Mr. President: May I know if the honourable member does not wish to move the motions 6 to 16?

Sardar Jodh Singh: Sir, the position is this. All the motions that relate to Camp Fort Jail at Lahore have been accepted by the Finance Member. The rest relate to other camp jails. Therefore I do not move them.

Mr. President: The honourable member may either withdraw his motions or he may move them one by one. If they are moved, they might be accepted by Government and in that case the proposed reductions will be made with the consent of the House.

The Honourable Sir John Maynard: Sir, there is an alternative method. If it is permitted to make use of it, that Government should accept simply a cut of Rs. 2,500 on account of the items for the camp jail in the Fort. That would save the trouble of taking the amendments one by one. I have already accepted a reduction of Rs 640 and am willing to accept the reduction of an additional sum of Rs. 1,860. That would settle the question.

Mr. President: The honourable mover of the amendments has, I think, now clearly understood the position of the Finance Member. He is prepared to allow Rs. 1,860 in addition to the amount of Rs. 640, which has already been reduced by the House. If he wishes to accept the position, he will please move his amendments one by one, as there is no one motion which covers the exact amount of Rs. 2,500, so he will either have to move his motions one by one, or to withdraw them.

Sardar Jodh Singh: I do not move them.

Chaudhri Afzal Haq [Hoshiarpur-*cum*-Ludhiana, Rural] (Urdu): Sir, I beg to move:

"That the total grant be reduced by Rs. 1."

Sir, unfortunately in the provincial jails there are certain illegal indulgences and unlawful practices which require a sympathetic and favourable consideration at the hands of the Government. The most important matter to which I would like to draw the attention of the Government is that the political as well as the martial law prisoners are confined in jails which are situate beyond the limits of this province. That might be the policy of the Government, but I fail to understand the principles on which it is based. Even the all-India Jails Commission disapproved this action of the Government. The report of the Commission lays down that all the prisoners whether they are political or ordinary prisoners should be confined in jails belonging to their own province. Sir, I am sorry to observe that notwithstanding the fact that the Government has spent lakhs of rupees on account of this

Commission it has not cared to accept even the minor recommendations of this Commission. If we carefully consider the case of the martial law prisoners, we see that some of them are only 20 or 25 years old, and that there are a very few among them whose age exceeds forty years. I have seen parents bewailing the separation of their youthful sons. I do admit that the Government is entitled to punish those persons who violate the law of the land; but it has no right whatsoever to prevent the heirs or guardians of the prisoners from seeing them. The Jails Commission has rightly pointed out this defect of the jail administration to the Government of India, but sorry nothing has been done so far to remove this defect. Moreover, Sir, this arrangement of the Government often tells upon the health of the prisoners. When the prisoners are confined in a jail which is situate in a place where they have never been before, in most cases the climate of the place does not suit them and consequently they are greatly reduced in health. As a political prisoner I was confined in Ambala jail which was particularly specified for the prisoners belonging to other provinces. There I had seen with my own eyes how the prisoners coming from other provinces fared? They had been reduced to skeletons. There was no flesh on their body, no blood in their veins. Sir, when this is how the foreign climate tells upon the health of the prisoners, I am at a loss to understand why the Government should refuse to confine the prisoners in provincial jails. In reply to a question of mine regarding the martial law prisoners, the Government stated that they could not accommodate such prisoners in provincial jails. Sir, I wonder how that can be? When in 1919 they could afford to accommodate 6,000 prisoners in the Punjab jails why they could not accommodate 50 or 60 martial law prisoners as well in these jails. The next point which requires the attention of the Government is that the prisoners from the North-West Frontier Province are confined in the Punjab jails. They are not few, but they are thousands in number. This arrangement of the Punjab Government is highly improper and unjustifiable. It has no right to send its prisoners to jails belonging to other provinces and accommodate the prisoners coming from other provinces in our jails. Sir, the frontier prisoners have always proved a great source of trouble and annoyance. They were mainly responsible for the jail riots and especially for the Lahore Central Jail riot. The Pathan convicts being poor themselves cannot afford to bribe the jail officials and become their agents to extort bribery from other prisoners. When they are appointed jail convict officials they are the main instruments in the hands of jail officials for extorting bribes from other prisoners. Sir, when these prisoners on coming here prove a source of so many evils why should we accommodate them here in our jails. I think that we would be able to enforce better discipline in the absence of these Pathan convicts. The next point to which I would draw the attention of this House is the fact that just as our prisoners are miserably passing their days in jails belonging to other provinces the prisoners from there are also rotting in our jails. Sir, I had an occasion to visit the Multan Central Jail where I met with a few prisoners belonging to some other provinces. They bitterly complained of the climate of the place and the food supplied to them. The result was that they were, for the greater portion of the year on the sick list. Sir, when such is the real state of affairs how can we pass the jail demand without objecting to it. Now, Sir, the remedy which I would suggest for jail evils is this that the Government should always appoint such persons as the non-official visitors to jails as are unbiassed and incapable of

[Ch. Afzal Haq.]

being influenced by the jail officials. In that way the Government would be able to receive better and sound advice for the improvement of the jail administration. Sir, we do not suspect the intentions of the Government but their way of dealing with the matters connected with the jail administration is such as leads to great suspicions. We have heard the deplorable story of Rai Bahadur Seth Parab Dayal. Similar had been the case with one namely Mr. Muhammad Din, a non-official visitor to Hoshiarpur jail. Last year in the capacity of a non-official visitor I visited the said jail. I thought it advisable to take some other non-official visitor along with me to visit this particular jail and so I went along with the above-mentioned non-official visitor, *i. e.*, Mr. Muhammad Din. There in the said jail we saw some of the under-trial prisoners working on the well. I had been a prisoner myself. I knew full well the miserable plight of the prisoners and I was also aware of our helplessness as non-official visitors. I did not enquire of those prisoners as to who had asked them to work the well? We kept silent but observed that the same batch worked on the well for an hour. There were some other under-trial prisoners doing some other labour. Sir, the Jail Manual clearly lays down that no work should be taken from an under-trial prisoner except to clean his cell provided that he is accustomed to do such things. Of course we did not inquire of the prisoners at that time as to who had asked them to do that sort of work. But we recorded in the minute book of the said jail that exacting any sort of labour from the under-trial prisoners is in our opinion highly objectionable and improper. When we recorded these remarks in the book we marked the signs of resentment on the face of the jailor.

The Honourable Sir John Maynard: Might I ask what happened to the honourable member? I do not understand what was done to him or what was not done to him or what was not said to him?

Chaudhri Afzal Haq: All right, Sir, I leave that point. The result was that the Deputy Commissioner sent for the non-official visitor, Mr. Muhammad Din to attend the Jails Committee and there he was insulted and threatened. Thereupon the said Mr. Muhammad Din sent telegrams to His Excellency the Governor, the Chief Secretary and the Inspector-General of Civil Hospitals protesting against the insult and urging them to make an enquiry into the matter. What did the Government do on this? They, instead of instituting an enquiry into the matter removed his name like that of Rai Bahadur Seth Parab Dayal from the list of non-official visitors to jails. The Government does not appoint lawyers as non-official visitors to jails as they are comparatively unbiassed and incapable of being easily influenced by the jail officials. On the other hand the Government appoints the lambardars and zaildars as non-official visitors to jails as they better serve the purposes of the jail authorities. Sir, such is the jail administration and now we are completly tired of offering long criticisms on the actions of the Government. But at the same time it is our wish that the Government should take a sympathetic view of our complaints and deal with them promptly. Let it keep its prestige as well but along with this it should take necessary steps to stop the evils now prevalent in jails. Sir, I can say this without any fear of contradiction that whatever the Government has done so far in connection with our reports is improper. Sir, on the remarks recorded by me in the minute book of the Hoshiarpur jail the Superintendent of the said jail wrote that I had been a prisoner and a rebel and that I had a great sympathy for the people of this country. Sir, I do not deny the fact that I had been

a prisoner and I felt and I feel even at the present moment a great sympathy with the people of this country. But this does not mean that the jail officials should be let loose to do whatever they like. After a year I again visited the same jail and there I again found some of the under-trial prisoners working on wells like oxen. This time I had an experience of jail work for a year, I enquired of the prisoners in the presence of the jail authorities as to who had asked them to work on the well? They replied that the jail officials ordered them to do so and that they were not doing that work on their own accord. They further stated that if they had refused to do that work they would have been severely taken to task. There and then I told the jailor that of course he had suspected my intentions on the previous visit but he should then accompany me to hear what the prisoners said in connection with their labour. Sir, the Hoshiarpur jail is not the only jail of its kind. In every jail you go, you would find that such unlawful practices are in vogue. Pay a visit to the Ludhiana or the Gujranwala jail, you would find the same state of affairs prevailing there. Recently I paid a visit to the Attock jail and found the same defects there as well. Sir, when the jail rules and regulations are not faithfully observed what is the use of asking the Government to grant us new rights and privileges. The Government does not pay any heed to our just and right demands. Sir, if the jail authorities had cared a little they could have done a great service to this country. Sir, I am not one of those who agitate such matters in the press but any how when I come here I feel compelled to make such allegations as I am making now before this House. Sir, just as we honestly advise the Government it also in its turn ought to consider our fair demands favourably. If the Government cannot grant us new rights and privileges it should at least safeguard those rights, which are already granted to the under-trial prisoners.

The next point for the consideration of the Government is that all the prisoners who have been sentenced to be hanged should invariably be hanged in their home districts. During my recent visits to the various jails of the province in the capacity of a non-official visitor, all the condemned prisoners had to relate a sorrowful story to me because they had not been allowed to be hanged in their home districts. Even the most cruel and absolute monarchs, they said, used to enquire and ascertain the last wish of such condemned criminals. Needless to say that the last wish of every dying person whether he is being hanged or is dying a natural death is to see his relations and friends. But it is matter of extreme regret that our Government does not accede even to this most reasonable request. Sir, knowing as you do, the poverty of the people of this province you can judge for yourself how difficult it is for a relative or a friend of a condemned criminal living at Lahore to go and see the latter in Rawalpindi where he has been ordered to be hanged just as recently certain condemned prisoners of Lahore and Amritsar were sent to Rawalpindi to be hanged there. I think it is a great slur on the administration and I am sure Government will lose no time to remove it.

Sir, I am sorry to point out that although it is more than a month that the Jail Commission submitted its report, the Government has not cared to lay the same with its orders before the Council in this important sessions. We do not know what recommendations have been made by the Commission.

. . . . . .

Mr. President : Will the honourable member please see the next motion on the agenda ? He will find that he is raising a discussion on the report of the Jail Commission about which a separate motion is tabled.

Chaudhri Afzal Haq : But I do not know what specific arguments he will advance.

Mr. President : The honourable member will please wait till that motion is moved.

Chaudhri Afzal Haq (continued in Urdu) : I bow to your ruling, Sir. Then I proceed to draw the attention of the Government to the oft-repeated question of dietary. So far no improvement appears to have been made in dietary in spite of our repeated requests. I am glad to say that some of the Superintendents of the jails have, on their own responsibility and initiative, and in accordance with the wishes of the general public, tried to move some of the grievances in this respect. Having been authorised to do so, I will make a particular mention of the Superintendent, Rawalpindi jail, in this connection. It is a matter of common knowledge that some kind of sweet is a necessary ingredient in the Punjab if not anywhere else. It will perhaps interest the Government to learn that most of the irregularities that are commonly committed in the jails are committed because the prisoners are not given any kind of sweet throughout their term of imprisonment whether it is of one year, two years or fourteen years. While relating my experiences of jail life on a previous occasion, I tried to make it perfectly clear that in the absence of this provision many irregularities are committed. During my short term of imprisonment I was obliged to use *gomolia* simply because I could not get gur or shakar and because I despised adopting unfair means to which most of the other prisoners generally resort. I am at a loss to understand why the Government is not prepared to make this provision particulary when I have made it many times clear that most of the irregularities will cease to exist as soon as this provision is made. Now even the most goodnatured prisoners are tempted to use unfair means to get some sweet because it is but natural to revolt against this restriction.

My next complaint is that there is no provision in the Jail Manual to supply newspapers and writing materials to educated prisoners. I am half inclined to say that thereby it is the intention of the Government to keep such prisoners totally in dark as to what is happening in the world outside, and further that they may not be of any use to their country or to mankind during their term of imprisonment. We have requested the Government many a time that it should supply newspapers and writing materials to the educated prisoners, but I am very sorry to say that no heed has been paid to that request. In the western countries, on the other hand, we find that it has been made incumbent upon the Jailors that they should see that the educated prisoners are supplied with necessary materials to write something about their lives and the conditions in the jails. One great advantage of this provision is that their energy is not wasted and rather it is directed to a proper channel. While the Government has very kindly opened jail libraries, it will not be too much to hope that the Government will extend that kindness a little further and will begin to supply newspapers to the educated prisoners. I cannot pass on without saying that it is the desire of every educated prisoner to be allowed to write his experiences of the jail life. In free countries not only the educated prisoners are allowed to write

down their experiences, but their writings are sent to Press and if they are criticised, they are then allowed to answer such criticism. But of such freedom we cannot even dream of at present. We only ask for some elementary concessions.....

The Honourable Sir John Maynard: I thought the honourable member said that "kalam and dawat" were not allowed. Is that right?

Chaudhri Afzal Haq (continued in Urdu): Sir, I know that "kalam and dawat" are allowed to a few prisoners, but that is only an exception and not a general rule. Sir, it might have come to your knowledge that many a famous work were written in jails by the educated prisoners. As an instance I will mention the well-known work that was written by Lokamanya Tilak. Imagine what irreparable loss the public of India would have suffered if Lokamanya Tilak had not been allowed to write the same. I am sure that if every educated prisoner were allowed to write, not only the public would gain much, but the Government would also come to know many things which it cannot otherwise know.

Then I have to say something about the sheets which are now supplied to the prisoners. I must first express my gratefulness for the supply of these sheets for use in summer. But I must also draw the attention of the Government to the fact that these sheets do not serve the purpose for which they are supplied. They are not sufficiently long to cover the whole body. You will see very few persons whose size is less than 5 feet, but the sheets that are supplied to the prisoners are less than 5 feet in length. I hope, therefore, that the Government will see that this defect is cured.

Another common grievance of the prisoners, whether they are Hindus, Muhammadans or Sikhs, is that the *parnas* that are supplied to them are not sufficient in length and breadth and, therefore, they do not serve the purpose for which they are supplied. In this connection I have also to draw the attention of the Government to the complaint of the Muhammadan prisoners who have to offer their prayers in the jails. They do not know whether the mats that are given to them for the purpose are *pak* or polute. The sheets that are supplied are also taken back from them as soon as summer is over. Therefore, I request the Government that it should increase the size of the *parnas*, so that the Muhammadan prisoners may also utilise them for the purpose of offering their prayers.

I would also take this opportunity to request the Government to take light labour from the Muhammadan prisoners who keep fast in the month of Ramzan. I make this request at this time because the month of Ramzan is near at hand and it may not be said afterwards that no request was made in time. It is my personal experience that those who keep fast, experience great difficulty in doing so. In the first place they are not supplied fresh food in the morning. The practice generally is that food is cooked at night and reserved for them to be taken at about 4 o'clock in the morning, the time fixed for taking the same. Consequently many of them fall sick, if not there and then, in their after life. Then no consideration is paid to their weak constitution. In the days of Ramzan, they grow weak on account of their keeping fast and, therefore, they cannot be expected to do the same amount of labour as they can ordinarily do. The method of rotation is already there and I would suggest that instead of giving light labour to any

other group in those days, those prisoners should be asked to do that light labour who are keeping fast. This suggestion involves no change in the rules and I am, therefore, confident that Government will have no objection to agree to my proposal particularly when it professes that it is anxious that the people should observe their religious rites and follow and act upon what they have been enjoined by their religions to do.

Sir, before I take my seat I again request the Government, through you, that it should very kindly consider the proposals I have made and try to remove the grievances I have mentioned.

Mr. President : Grant under discussion, motion moved—

"That the total grant be reduced by Rs. 1."

The question is that that motion be adopted.

The Honourable Sir John Maynard (Finance Member) : Sir, I must begin, I think, by congratulating the honourable member who has just spoken on the moderation and specific character of his complaints. One may not always agree with representations, but if they are made in a moderate manner and without too much of rhodomontade and if they have a specific character, it is easy for a reasonable man to consider them and to arrive at a conclusion whether they should be acted upon or not. It is for this reason that I say that I congratulate the honourable member on the nature of his representations.

As to answering each specific point, that is plainly out of the question. In many instances, I have not got at a moment's notice the necessary information to deal with the particular complaints. Speaking generally the whole of this and many other questions connected with jail administration are now on the point of coming before the Government in connection with the report of the committee which was recently appointed to consider the jail administration.

I will deal at once with such points as it is possible to deal with without collecting further information or making further enquiries and to such an extent as it is possible to deal with them at a moment's notice. The honourable member complained that certain martial law prisoners had been sent out of the province. It is true that they have been sent out of the province. It is not because there is no room in the Punjab jails for them to be accommodated It is very easily found for all these men, but the men are of the type who might be either dangerous or might become dangerous by getting into communication with other persons. It is the deliberate intention of the Government that certain persons should remain out of the province. I notice from the budget that the payment on account of these prisoners is Rs. 1,780. From that I should infer that such prisoners are about 40 or 50 in number. The honourable member said that we were on the other hand receiving a great many prisoners from the North-West Frontier Province and we have not been receiving any payment in consideration of their being in the province. It is true that a good many of the prisoners in the Punjab are of the North-West Frontier Province, but this has no connection with the former question of prisoners being sent out of the province. The point I wish to make plain is that there is a reason why we cannot urge the Government of India to pay for these North-West Frontier Province prisoners in the Punjab. We did once suggest to the Government of India

that they should pay for these prisoners and they said that they would provide for that if we would undertake to pay in our turn for the Punjab prisoners who had to be transported to the Andamans. We made a calculation and came to the conclusion that we should lose by such a transaction. Therefore we decided to drop that claim.

There is another point in connection with the North-West Frontier Province which will be of interest to honourable members. I believe I have mentioned it before, but possibly some members may not recollect it. The Government of India is now on the point of building, at its own expense and not at the expense of the Punjab Government, a central jail at Ferozepore which will accommodate 1,500 prisoners, that is, which will accommodate not only the North-West Frontier Province prisoners now in the Punjab but some others also.

The next point that the honourable member touched upon was the incident in the Montgomery jail. I should like to take this opportunity of telling the House that it is my intention on Monday afternoon with the permission of the chair, after question time, to lay on the table a copy of the report which was made by the Jail Committee in respect to this case and at the same time to announce the orders which the Government has passed upon it.

The next point was to me at all events a slightly confused complaint. I was never quite certain what the honourable member's complaint was about. It was something about Muhammad Din, a non-official visitor. It was also complained that under-trial prisoners were being asked to do work. I have enquired into the particular case so far as the prisoners are concerned. Of course it is provided in the Jail Manual that prisoners may work if they wish to. I suppose honourable members will be inclined to be sceptical about any prisoner wishing voluntarily to work. The answer is really simple. If he chooses to work voluntarily, he can get a higher scale of diet. The particular prisoners referred to by the honourable member were voluntarily working in order to get a higher scale of food. I do not know whether there is any other reason. They probably wanted extra food and for that they worked voluntarily.

As to what happened to Muhammad Din, I was not quite clear what the complaint was. I did not quite catch the word, but I think the honourable member used the word *dhamkana*. The visitor in question did send a telegram to the Government on the subject and it was sent to the Commissioner for enquiry and disposal and the Government heard no more on the subject. These are the facts about Muhammad Din.

The next point the honourable member touched upon was that prisoners under sentence of death were not sent to their home districts for execution and he pointed out that this had the unfortunate result of not giving them full opportunities of seeing their relatives and delivering messages to them before execution. As to that I can say quite definitely that the Inspector-General habitually transfers prisoners if they ask to be transferred in those circumstances. But there are certain districts in which the number of condemned cells is not sufficient and therefore there are occasions when it is not possible to send the prisoner to his own district before execution. But the object of the Inspector-General is to comply with every such request from a prisoner under sentence of death and to send him to his own district whenever that is feasible.

[Hon. Sir John Maynard.]

The next point referred to was a highly technical subject which will come under consideration in connection with the report of the Committee which has just been sitting. The honourable member said that people cannot do without sweets of some sort, that their constitution requires them and the fact that they cannot get them causes them to commit irregularities by way of smuggling sweets into jails. That is a matter which as I have said does happen to be one of the items dealt with by the Committee in its report and it will receive careful consideration.

The next complaint was that the educated prisoners are not allowed newspapers. On that point I am afraid I must say that this question was very carefully considered at the time when the regulations for what are called special class prisoners were made. They were made for the whole of India by the Government of India. I myself was present at the conference at which this point was discussed and it was definitely decided, I am not going to enter into an argument whether it was decided rightly or not, it was decided definitely that newspapers should not be allowed. I am therefore obliged to say on that point that there is no prospect of newspapers being allowed.

The honourable member also complained about the non-supply of pen and ink. On that point I have made enquiries and I believe that special class prisoners are allowed pen and ink, though I cannot say with perfect certainty, I believe it is so.

Then there were some complaints on minor matters. It was said that sheets are too short or towels are too short. Wherever there are Sikh prisoners in a jail the question of the length of *parnas* comes in. I do not see any reason for making the *parnas* larger. The complaint that the sheets are not long enough is a new one and it has not been put before me before. That is a matter which I shall look into and see if six feet of cloth is better than five feet and if it is possible to arrange for it.

There was another point about the arrangements in the month of Ramzan. I have not unfortunately before me at present the Jail Manual, because I did not anticipate this specific complaint. But there are undoubtedly certain definite arrangements made for the convenience of prisoners for fast in the Ramzan month. I believe the prisoners are allowed to keep their food from overnight and take it before the hours of fast. The next point in this connection was that fasting people should not be made to work. That is a question for the medical officer concerned. It is for him to say that the physical condition of the prisoner is such that he cannot do a particular kind of work. If he finds in the course of his rounds that a prisoner is being called upon to do harder work than he is fit for, he thereupon makes the necessary alternation.

In conclusion, Sir, I only want to repeat my sense of satisfaction at having received what on the whole must be described as a very moderate and reasonable list of complaints regarding the jail administration. (Cheers).

Chaudhri Afzal Haq: Sir, in the circumstances explained by the Honourable the Finance Member, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

GRANT.

Mr. President : The question is—

"That a sum not exceeding Rs. 80,11,800 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Jails and Convict Settlements."

The motion was carried.

POLICE GRANT.

The Honourable Sir John Maynard (Finance Member) : Sir, I beg to move—

"That a sum not exceeding Rs. 97,11,800 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Police."

Mr. President : The question is—

"That a sum not exceeding Rs. 97,11,800 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Police."

Chaudhri Afzal Haq [Hoshiarpur-cum-Ludhiana, Rural] : Sir, I beg to move—

"That the total grant be reduced by Re. 1."

The Council then adjourned till 2 P.M., on Monday, the 15th March 1926.

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PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Monday, the 15th March 1926.

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

QUESTIONS AND ANSWERS.

FACILITIES TO MUHAMMADANS TO OFFER PRAYERS ON FRIDAYS.

2852. Chaudhri Afzal Haq : Will the Government be pleased to state if they are aware of the fact that the Bengal Government have issued orders that Muslim Government servants should be given two hours leave to say their prayers on Fridays? If so, will the Government be pleased to say if they have also issued similar orders for the convenience of Muslim Government servants under them?

The Honourable Sir John Maynard : Government is aware of orders issued by the Bengal Government in 1912. Similar instructions are in force in the Punjab whereby facilities are granted to Muhammadan employees for saying their Juma prayers.

BUND NEAR VILLAGE KASA BAD.

2853. Chaudhri Afzal Haq : Is it a fact that a protective bund near village Kasa Bad, tahsil and district Ludhiana, constructed by the railway authorities, is now damaged? Is it also a fact that the lands of the adjoining villages have become unfit for agriculture on that account? If so, will the Government be pleased to state if they have drawn the attention of the railway authorities to the necessity for the repair of the bund?

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

PROTECTED MONUMENTS.

2854. Chaudhri Afzal Haq : Will the Government be pleased to state the number and the names of protected monuments in the province and the sum which is yearly spent by the Punjab Government for their upkeep?

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

STREAM IN KOTLA.

2855. Chaudhri Ram Singh : (1) With reference to the answer to my question No. 2160* put on the 3rd December 1925, will Government please state—

(a) the time when the stream changed its course towards the town of Kotla;

(b) whether the width of the stream just above the bridge has always been the same as it is in these days and if not, what was the width of the stream before 1880;

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*Vol. VIII-B, page 1362.

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(*c*) whether it is a fact—

(*i*) that an open maidan existed on the west of the town in 1880 which was used as camping ground by the military ;

(*ii*) that the people of the town used the maidan as a park ; and

(*iii*) that in 1880 or thereabout the stream having changed its course towards the village, Government had to purchase a site at some distance for the *Parao* (camping ground) ;

(*d*) whether only two water mills are now working on the banks of the stream where formerly 21 water mills used to work, the rest having all been carried away by the stream ;

(*e*) whether there existed a settlement of *Kahars* on the banks of the stream about a thousand feet above the bridge which has all been destroyed ;

(*f*) whether the homes of Brahmans and the buildings of Dewan Roda Mal valued at about Rs. 20,000 were all carried away by the floods in 1914-15 ;

(*g*) whether hundreds of empty canisters were carried away by the floods in the rainy season of 1925 from the compound of the Forest Department round the Range Officers quarters and the Resin store ;

(*h*) whether the kitchen in the Range Officers quarters also collapsed ;

(*i*) whether the water of the stream in rainy season erodes steadily the western portion of the road which is likely to be completely washed away one of these days ?

(2) If the answers to the above be in the affirmative, will the Government be pleased to state whether they have taken any steps to stop the action of the stream, and whether the enquiry referred to in part (*d*) of the reply given to the said question has been completed ?

(3) Does Government propose to get a statement prepared showing the increase in the width of the stream since 1880 and also the area of land and property washed away by the stream from time to time ?

(4) Does Government propose to complete the erection of a bund before the rainy season of 1926 ?

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

OPENING OF A HOSPITAL AT KOT ADU.

2856. Khan Muhammad Abdullah Khan : (*a*) Will Government be pleased to state if they are aware of the fact that Rangpur is at a distance of 42 miles from Muzaffargarh Sadr and that there is no hospital at any station between the two places ? If so, does Government propose to open a hospital at some suitable place between Rangpur and Muzaffargarh Sadr ? If not, why not ?

(*b*) Will Government be pleased to state whether they have received a memorial from the inhabitants of Kot Adu praying for the opening of a hospital there? If so, what action has been taken on the said memorial?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (*a*) Yes. The Muzaffargarh district board proposes to open a rural dispensary during the year 1926-27 at Langar Sarai, which is situated between Rangpur and Muzaffargarh.

(*b*) This part of the question is not clear as there is already a dispensary at Rangpur as well as at Kot Adu. No memorial has, however, been received from the inhabitants of either place.

HOSPITAL IN KHAIRPUR SADR.

2857. **Khan Muhammad Abdullah Khan:** Is Government aware of the fact that in Khairpur Sadr, tahsil Alipur, district Muzaffargarh, there is no hospital? If so, does Government intend opening a hospital there in the near future?

The Honourable Rai Sahib Chaudhri Chhotu Ram: In the directory of the Muzaffargarh district there is no village by the name of Khairpur Sadr. If the honourable member is referring to Khairpur Sadat, the district board proposes to open a rural dispensary there in the year 1926-27.

CANAL FROM HAVELI BAHADUR SHAH TO RANGPUR.

2858. **Khan Muhammad Abdullah Khan:** Will the Government be pleased to state—

(*a*) whether they intend to construct a canal from Haveli Bahadur Shah to Rangpur in the Muzaffargarh district? If so, is Government aware of the fact that irrigators are already complaining of the scarcity of water in the new Taleri canal and that the construction of the proposed canal from Haveli Bahadur Shah to Rangpur will interfere with the irrigation of the Taleri canal;

(*b*) whether they have consulted the Superintending Engineer, Multan, and the officer in charge of the Muzaffargarh canals about the construction of the canal mentioned in (*a*) above? If so, what are their views on the subject;

(*c*) whether the residents of tahsil Muzaffargarh have sent in memorials to the Punjab Government protesting against the construction of the proposed canal? If so, what action has been taken on the said memorials;

(*d*) what remarks were made on the said memorials by the Deputy Commissioner of Muzaffargarh and the Commissioner, Multan division; and

(*e*) whether they are prepared to construct a canal at Haveli Bahadur Shah as a distributary of the Taleri canal so that both of them may help each other in the irrigation of the district?

The Honourable Mian Sir Fazl-i-Husain: I regret the answer to this question is not yet complete. Enquiries have been made from the Local Officers and the result is awaited. Complete information will be supplied to the honourable member later.

GRANT OF SQUARES TO THE INHABITANTS OF THE DERA GHAZI KHAN AND MUZAFFARGARH DISTRICTS.

2859. Khan Muhammad Abdullah Khan: (a) Will Government be pleased to state if it is a fact that in the Lyallpur and Montgomery canal colonies residents of all the districts of the Punjab with the exception of Dera Ghazi Khan and Muzaffargarh districts have been granted squares of land either as *chadkars* or as hereditary proprietors? If so, will Government be pleased to state the reasons for not granting any squares of land to the inhabitants of the Dera Ghazi Khan and Muzaffargarh districts?

(b) Will Government be pleased to state whether they are prepared to grant squares of land to the residents of the Dera Ghazi Khan and Muzaffargarh districts in Pakpattan on the Sutlej Valley Project? If not, why?

The Honourable Mian Sir Fazl-i Husain: (a) No.

(b) Does not arise.

OPENING OF A TELEGRAPH OFFICE AT KHANGARH.

2860. Khan Muhammad Abdullah Khan: Will Government be pleased to state if it is a fact that there is a telegraphic communication between Muzaffargarh and Alipur while there is no such communication between Khangarh and Muzaffargarh which are at a distance of 11 miles from each other and on the same road which leads to Alipur? If so, does Government propose to take the necessary action for the installation of telegraph office at Khangarh?

The Honourable Mian Sir Fazl-i-Husain: Yes, Khangarh's case will again be considered.

IRRIGATION OF CERTAIN VILLAGES IN THE MIANWALI AND MUZAFFARGARH DISTRICTS.

2861. Khan Muhammad Abdullah Khan: Will Government be pleased to state whether they intend to construct a canal from the Indus for the purpose of irrigating Kalwarkot and Bhakkar in the Mianwali districts and Karor Lal Essen and Leiah in the Muzaffargarh district? If so, when, if not, why not?

The Honourable Mian Sir Fazl-i-Husain: Yes, if and when the sanction of the Government of India and Secretary of State is obtained.

PROSECUTIONS BY THE EXCISE INSPECTOR OF MUZAFFARGARH DISTRICT.

2862. Khan Muhammad Abdullah Khan: Will Government be pleased to lay on the table a statement showing the number of prosecutions under the Excise Act launched by the Excise Inspector of Muzaffargarh District in the years 1924 and 1925?

The Honourable Sardar Jogendra Singh: No Excise Inspector is posted in the Muzaffargarh District. There were no prosecutions under the Excise Acts in that district in 1924-25.

WORK DONE BY THE AGRICULTURAL INSPECTOR OF THE MUZAFFARGARH DISTRICT.

2863. Khan Muhammad Abdullah Khan: Will the Government please lay on the table a statement showing the work done by the Agricultural Inspector of the Muzaffargarh district in the years 1924 and 1925 with full details of the work ?

The Honourable Sardar Jogendra Singh: There is an Agricultural Assistant but no Agricultural Inspector stationed in the district. As detailed permanent records of the work of Agricultural Assistants are not kept, Government regrets its inability to give the information desired.

GAUR BRAHMANS AND PUBLIC SERVICE.

2864. Chaudhri Duli Chand: (*a*) Is Government aware that the Gaur Brahmans in the Rohtak, Karnal and Gurgaon districts and Hissar, Hansi, Fatehabad and Bhiwani tahsils of Hissar district are notified agricultural tribes in a separate group ?

(*b*) Is it a fact that according to the Government letter No. 24269 (H.—Genl.), dated 9th November 1925, these Gaur Brahmans do not come under the definition of a notified agricultural tribe for purposes of compiling figures showing the share of zamindars in the various branches of public services ?

(*c*) If so, will Government kindly give reasons for this ?

(*d*) If it is not so, will Government be pleased to issue a press *communiqué* or instructions to all heads of departments allaying the apprehensions of these Gaur Brahmans ?

The Honourable Sir John Maynard: (*a*) Yes.

(*b*) No. The definition of "agriculturist" for the purposes of the census is not based on the Alienation of Land Act. It runs "all hereditary proprietors or tenure holders of agricultural land, mainly dependent thereon and residing in rural areas, as well as actual cultivators of such land". In the application of that definition to Gaur Brahmans no presumption, either in their favour or against them, is made.

(*c*) Does not arise.

(*d*) Instructions to heads of departments have issued accordingly. A press *communiqué* is not considered necessary.

REMISSIONS OF KHARIF INSTALMENTS.

2865. Chaudhri Duli Chand: (*a*) With reference to the answer to my question No. 2172,* asked on 4th December 1925, will Government kindly lay on the table a statement showing villagewise grant of remissions of kharif instalments during the year 1925-26 in the Karnal and Rohtak districts ?

(*b*) Is Government now in a position to make a statement regarding the question of grant of remission for rabi 1926 ?

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*Vol. VIII-B, page 1419.

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

(b) It is still too early to make any statement regarding the question of the grant of remissions for Rabi 1926.

REPRESENTATION OF DIFFERENT COMMUNITIES IN PUBLIC SERVICE.

2866. Chaudhri Duli Chand: (a) As promised in the answers to questions* Nos. 1961 to 1975, asked on 6th July 1925, will Government be pleased to lay on the table a statement containing statistics in regard to the representation of different communities, classifying them as agriculturists and non-agriculturists, in the various branches of the services?

(b) Is it a fact that in certain departments, attempts are being made to show non-agriculturists as agriculturists?

(c) If so, what steps has the Government taken or proposes to take to prevent such attempts?

The Honourable Sir John Maynard: (a) The departmental returns have not yet been received.

(b) No such allegation has been made to Government.

(c) Does not arise.

REFORM OF THE SENATE OF THE UNIVERSITY.

2867. Chaudhri Duli Chand: (a) With reference to the answers to my questions Nos. 1560† and 2175,‡ asked by me on 12th March 1925 and 4th December 1925, respectively, will Government kindly lay on the table the proposals of the University for the reform of the Senate and circulate printed copies thereof to the members of this Council?

(b) Does Government propose to consider my suggestions contained in parts (b) and (d) of question No. 1560?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) Government is not prepared to lay the proposals of the University on the table, as an important part of these proposals is marked confidential.

(b) If and when the Constitution of the University is revised, these points will be borne in mind.

GRANT TO AIDED SCHOOLS.

2868. Chaudhri Duli Chand: (a) With reference to the answers to my questions Nos. 724§ and 2176,‖ asked by me on 7th August 1924 and 4th December 1925, respectively, will Government kindly state if the necessary information as collected by the department has been considered by the Standing Education Committee?

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*Vol. VIII-B, pages 1167-1181, App. VIII p. cxli.
†Vol. VIII-A, pages 415-16.
‡Vol. VIII-B, page 1420.
§Vol. VII, page 191.
‖Vol. VIII-B, page 1420.

(*b*) If so, what is the result of this consideration?

(*c*) If not, when will the note containing the necessary information referred to, be considered.

The Honourable Rai Sahib Chaudhri Chhotu Ram: (*a*) No.

(*b*) Does not arise.

(*c*) As soon as the figures have been scrutinized in their educational and financial aspects.

2869-2881. *Cancelled.*

*REPORT OF THE COMMITTEE *re* MONTGOMERY JAIL INCIDENT.

The Honourable Sir John Maynard (Finance Member): Sir, with your permission, I desire to lay on the table a copy of the report of the committee which enquired into the assault on a member of the Legislative Council in the Montgomery jail. After consideration of the report, the Government has decided that the Superintendent and the jailor failed in their duty. Major Truter, officiating Superintendent, has been reverted from employment in the jails department to the civil medical department and Niamat-ullah Khan, Jailor, has been transferred to a small district jail. He will not again be employed in any important jail. The two prisoners who were charged with assault will be tried by a magistrate when certain legal questions connected with the conditions of cognisance under the Code of Criminal Procedure have been cleared up.

THE PUNJAB AERIAL ROPEWAYS BILL.

The Honourable Sardar Jogendra Singh (Minister for Agriculture): Sir, I beg to present the report of the select committee on the Punjab Aerial Ropeways Bill.

THE SIKH GURDWARAS (AMENDMENT) BILL.

Sardar Jodh Singh (Sikh, Urban): Sir I beg to present the report of the select committee on the Sikh Gurdwaras (Amendment) Bill.

GOVERNMENT'S DEMANDS FOR GRANTS.

POLICE GRANT (CONTD.).

Mr. President: The Council will now resume discussion of the demand for Police grant.

Chaudhri Afzal Haq [Hoshiarpur-*cum*-Ludhiana, Rural] (Urdu): Sir, I can not refrain from saying at the very outset that corruption is rampant in the Police department. I am sure the Government will also admit it. No doubt other departments of the Government are also not free from this evil, but I specially choose this department for criticism because I have some experience of the inner working of the department and can well answer the debate. To-day I will attempt to show, in the first place, as to what is the nature of this evil. I will then deal with the extent to which this evil is prevalent and lastly I will try to show that it is the Government alone which is responsible for the existence of this evil.

**Vide* Appendix XIII.

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Sir, one can't judge from the outward appearance of a palatial building that its inmates are leading a happy and peaceful life. Who knows there may be mourners living within the four walls of that building? In the same way a plastered and beautifully white-washed grave is no proof of being the repositories of the dead bodies of persons who led a faithful and religious life. Similarly you cannot say that the splendid building of the Police administration is based on the strong foundations of justice and fairplay. I should say it is quite the other way and it will become clear from what follows. Supposing a man has suffered at the hands of dacoits, highwaymen and thieves. In order to obtain relief and help from the authorities supposed to be responsible for keeping peace and order, he goes to the nearest police station and makes a report of what has happened. The first question that is put to him is as to how many wives and daughters there are in his house. This is a common question and every honourable member knows it. That is not all. Before a *pakki* report can be registered, the person seeking relief is required to pay some money by way of *nazrana* to the officer concerned. He must pay that money before any investigation can begin. Supposing the man pays that money and the investigation begins. How that investigation is carried on, I will show by relating my own experiences as a Sub-Inspector. As is the usual practice I was made to work as an apprentice after my training in the Police Training School. I was made to work during the period of my apprentice-hip with a head constable. The first instruction that he gave me was that whenever I would have to go to make an investigation on the spot, I must first send for the *chamars* of that locality. After having sent for them, I must give them good beating so that I may be able to create this impression in the minds of the zamindars of that place that I am a very hard and strict officer. Then I must abuse the chaukidar of that place and if necessary order him also to be beaten to create the same impression in the minds of the Zaildars and Lambardars of that place. This was not the instruction given to me only but the same lesson is taught to every newcomer and is actually followed in practice. After having done so, the investigating officers order a fowl to be cooked although by their side a dead body of the person killed may be lying. I need not dilate on this question as to wherefrom these fowls come. Everybody knows that these things are supplied by the person aggrieved. Then the Sub-Inspector or the head constable, as the case may be, orders some villagers to press him after which he enjoys rest for some time. Then he gets up and the first thing he does after that is that he sends for all the bad characters as well as some of the good characters of that place. They are all ordered indiscriminately for *das* parade to seize their ears by passing their hands beneath their legs. While this process goes on, the investigating officer is busy with preparing his diary and doing other official work which sometimes takes him two or three hours. During these two or three hours the persons so ordered become dog tired and if some of them dare enquire as to what is their fault or what they are required to tell, the reply that is usually given to them by the police officer is that he has not come to tell them what is their fault or what they are expected to disclose, but that he has come to set them all right. I might, in passing, say that I do not mean for a single moment that bad characters should not be questioned or that all police officers are guilty of this irregularity. There are exceptions here and there. To revert again to what I was relating, I would say that then comes the proper time for the investigating officer to make a capital out of that bargain. The respectable persons

who do not like to be tortured and subjected to disgrace along with some of the bad characters try to be let off and they cannot obtain their release from the clutches of the officer unless they pay him handsomely. That they do and the officer is fully rewarded for the trouble that he took to come over and make the investigation. The matter does not end there. Even after the investigating officer and his subordinates accompanying him have got their pockets filled up, the officer in charge of investigation gives a list of his household requirements. If one were to see an investigating officer returning to his headquarters, he will see him followed by a cart load of tori, a dozen or two of fowls and eggs, a cart load of fuel, a few *killas*, *ropes*, *madhani*, a few *chatis* and what not. Those present here who doubt my statement will be well advised to go in disguise and see for themselves how far my statement is true to the letter. I do not wish to deal at length as to the consequences of complaint before Superintendent and Magistrates, because I fear the Nawab Sahib and the Honourable the Home Member, the one representing the provincial Civil Service men and the other representing the police, but my plight can best be described in this couplet.

ایک طرف ہے شمع روشن ایک طرف ہے شمع رو
میں تو ہوں حیران کہ اب کیسے بچیگی آبرو

but this much I may say that the least attention is paid to the persons aggrieved.

This is all about my first point. Let us now see to what extent this evil is prevalent. If there have been only 20 or 30 per cent. or even 50 or 60 per cent. of the police officers addicted to corrupt practices and the remaining 40 per cent. could be pointed out to be strictly honest, we might have thought it fit to keep quiet. But the difficulty is that 95 per cent. of them are corrupt, I say 95 per cent. and not 99 per cent. as others would have me say because I mean to leave no room for doubt..... ...

Lieutenant Sardar Sikandar Hayat Khan: Can you point out any part of the province where this evil is prevalent to this extent?

Chaudhri Afzal Haq (continued in Urdu): If it is your genuine desire that I should answer this question I will simply say that almost all the Sub-Inspectors of police are the source of this evil and further they are the chief agents of all the higher officers who share in the income of the Sub-Inspectors

The Honourable Sir John Maynard: Will the honourable member kindly make himself clear? He said "all the higher officers". Does he seriously mean that all the officers from top to bottom take a share of it?

Chaudhri Afzal Haq (continued in Urdu): Sir, if I were to answer all such questions, the debate will be unnecessarily prolonged. I may, however, say on the strength of my personal experience that undoubtedly good many of the Superintendents of Police, as is meant by the great officers, do not take anything in the shape of hard cash from the Sub-Inspectors, but at the same time there are not a few of them who do take a share of the income that accrues to the Sub Inspectors by unfair means. There are still others who are content with having been paid all the expenses that they would have to incur during their various tours in which are sometimes included the high prices of their expensive suits. The number of the second and third type is fairly large and cannot be said to be negligible. I anticipate another allied question that may well be asked and that has been asked

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many times before and that is this. Why do we not provide the Government with specific instances to enable the Government to take the necessary action? I have fully and often pondered over this question and have tried to find whether such a demand of the Government is justified. I have come to this conclusion that this demand is not at all justified because there are not one, not two, not twenty such officers who are corrupt and on whom we could lay our fingers. Our allegation is that the whole lot is corrupt and if we were to lay our fingers on a few of them we will be contradicting ourselves. I would go a little further and say that corruption or bribery, call it what you may, is what mostly attracts men to enter into Government service. If corruption were rooted out and if Government departments were purified of this evil, I am sure this vexed question, as to how many there are Hindus and how many there are Muhammadans in a particular service, will at once cease to trouble us. I cannot proceed further without mentioning this fact that the Sub-Inspectors lead a very expensive life, more expensive than the Members of the Government or the Ministers can think of leading. There are many such police stations in the province to which all the Sub-Inspectors covet to be posted and if they are assured that after being posted there they will not be transferred to any other place for another three years, they very gladly pay 20 and in some cases 40 thousand rupees to the officer concerned. This is a deplorable state of affairs and even if it be admitted that this is an exaggerated view, it cannot be denied that the evil does exist and it has taken a deep root in the department. I hope the Government realises that this is a great slur on the Police administration.

Then I pass on to show that the Government is solely responsible for the existence of this evil and that the public is not in the least to blame. During the discussion over the police grant in the Budget Session of the year 1924, the leader of the House, who is known to be an experienced and cool-headed gentleman, was pleased to remark "whose brothers are they"? Similarly a few days back when the question of corruption amongst the zilladars was under discussion, a well-known publicist and a responsible member of the Government was pleased to make the same remark. If this remark had come from a raw and hot-headed youth, the matter would have been quite different. But when it issues from well-known personages like the Honourable Sir John Maynard and the Honourable Mian Sir Fazl-i-Husain, who have seen much heat and cold, it appears simply ridiculous. This remark evidently means that we are responsible for this corruption and the Honourable Mian Sir Fazl-i-Husain made no secret of it and said in clearest language that if the officers were corrupt it was our fault and not the fault of anybody else. By way of reply to this remark, I will simply say that a subject nation that cannot carry into effect its most simple resolution regarding the exemption of a sword from the operations of the Arms Act which was duly moved and unanimously carried, I will leave to you to judge what political status or influence such a nation can possess. How can you expect such a powerless people to set right the powerful officials of the Government? But even if it be granted that the public is corrupt and wants improvement, even in that case you cannot shift the blame to the shoulders of the public. Even in that case the Government stands to blame. Is it not the duty of all Governments which charge taxes from the people to see that the standard of honesty of such people is improved? But what do we find in the case of our own Government? I have studied in a school and have received some

University education too. I can say from my personal experience that very few students in schools and college are seen to possess any love for their country and such other noble sentiments. The reason is not far to seek. Our Government has hopelessly neglected to provide proper education to our students. What they are asked to read in their school and college career are the lives of great men of England. They are not allowed to study the lives of our own great men like Mahatma Gandhi and Muhammad Ali. If the Honourable Minister for Education were now to introduce and prescribe the life of Mahatma Gandhi as a course in school, he is sure to incur the displeasure of the Government. Similarly if a national aided school were to allow the song of Bande Matram to be sung there, that school is sure to be removed from the list of aided schools. Therefore, I say that if the public lacks anything it is because the Government does not properly care for it. And can the Government say that the people of this country or of this province are born corrupt? I do think it can have the temerity to say that because that would be quite an unnatural statement. I think it would not be out of place to say that almost all the historians have made mention in their histories that the people of this country are not in the habit of either telling lies or fabricating lies. Then whose fault is it that those very people have now become corrupt or false? I think it is the so-called civilization of the Government that can reasonably be said to have spoiled the people. This is further proved when we find that the residents of those villages which are situated at a great distance from the centres of so-called civilization are still simple and honest.

(At this stage Rai Bahadur Sir Gopal Das, Bhandari, passed between the President and the honourable member speaking.)

Mr. President : Order, order. This is not the first time that the honourable member from Amritsar has committed this irregularity. It is very irregular on the part of a member to cross between the chair and the member who is speaking.

Chaudhri Afzal Haq (continued in Urdu) : I was saying, Sir, such villages which have not come so far under the influence of this so-called civilization are much better off. In such villages the old system of panchayats still exists, and if the Panchayat Act has failed it is because the persons who sought election and were elected as panches were connected with the Government somehow or other. Then it has been said on many occasions that the police officers are induced by the public to accept bribery. But even that is no reason to blame the public because a very bad mentality has been created in the public by the conduct of the police officers, and that is that it has come to believe that unless bribery is offered to the police officers they would ride rough shod over the matter. I am here reminded of what a high police officer told me the other day. He told me that some old woman, having some grievance, approached him to have that grievance redressed. After hearing her he was convinced that she had a real grievance and assured her that he would certainly do all to bring the offender to book. But she would not believe it and therefore offered him some money to make it sure that the matter would be carefully attended to. The officer further told me that he refused to accept that money whereupon she approached the Superintendent of Police and complained to him that his subordinate was evading her. Do you think that the fault lay with the old woman because she had made the offer which she ought not to have made? I think the fault was not hers; but, as I have said before, it was due to the fact because the police officers are generally unsym-

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pathetic and corrupt. I admit that a majority of these police officers are our brethren. But is it also not a fact that they are the best workers and the chief agents of the Government? This remark that they are our brothers appears ridiculous on the face of it. Supposing I join a conspiracy against the Government and make attacks on my brethren in service of the Government along with other conspirators, would it means that because I am a brother of the officers so attacked, so I should be let free? Will the Government not condemn them simply because the conspirators are the brethren of officials? I do not think so, because it has never done so in the past. You cannot blame the public for the faults of your servants or for your faults simply because they have dealings with your relative of your servants. What I have said must have made it abundantly clear that for corruption in the police department, Government and Goverment alone is responsible. Therefore I make a request that what we say should not be treated lightly because if the Government members present here do not listen to us, can you possibly think that the officers in the district will hear and attend to our complaints?

As to the social or moral pressure that we have been advised from time to time to bring to bear on these officers I may say that:

نامہ نے آئے خط او ر لکھ رکھوں
معلوم ہے ہمیں جو لکھینگے جواب میں

I know what Government will say in this respect and so anticipating their arguments, I wish to make these few remarks. I have already made it clear that we are helpless and powerless. Can you think that a zaildar or a lambardar will ever refuse the invitation of an Extra Assistant Commissioner or Deputy Superintendent of Police on the ground that the officer inviting him is corrupt? They dare not refuse the invitation on that ground, and if the zaildars and lambardars, being the headmen of the villages, can not do so, how can you expect the villagers themselves opposing the Government officers. I do not think I have to say anything else at this stage and if anything is left I will say when exercising my right of reply. (At this stage the speaker appeared to be taking down his seat).

Mr. President: Order, order. Up till now the honourable member has criticised the police department, but has not, according to the motion which he intended to move originally, suggested any improvements in that department. May I ask the honourable member whether he has finished his speech and is going to resume his seat? If so, I shall have to rule that his whole speech is irrelevant and that no further debate will be allowed on it. If the honourable member yet wishes to make any suggestions for improvement of the department, I will allow him to do so.

Chaudhri Afzal Haq: I thought what I had said was quite relevant.

Mr. President: Has the honourable member any suggestions to make for improvement of the police department? That is the motion.

Chaudhri Afzal Haq (continued in Urdu): Sir, my first suggestion is that the Government should henceforth consider itself to be responsible for the existence of this evil and should not try to shift the blame to the shoulders of the public. The second suggestion that I would like to make is that promotions and reversions should greatly

depend upon the honesty of the officer concerned. I have already brought this matter to the notice of the Government by means of a question in which I also referred to a circular issued by the Superintendent of Police, Jullundur, in which this principle has been fundamentally recognised. Unless the Government does the same, no improvement can be effected in the police department.

Mr. President: Grant under discussion, motion moved :—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

Professor Ruchi Ram, Sahni (Punjab University) (Urdu): Sir, only five minutes back I was determined not to say a single word on this amendment and if now I venture to speak on it, it is simply because I feel that my silence may mean that I have no heart to sympathise with those who are the victims of the tyranny and high-handedness of the police. I claim to have personal knowledge or experience of eight or ten cases of police oppression. But of these eight or ten cases, I would say a few words with respect to only three of them as showing what we have to expect of the police in other cases also. The first case, Sir, which I will place before this Council is this: Many years ago, I and a friend of mine, a fellow Professor in the Government College, met an *ekka* carrying some pardah ladies. We saw a policeman stopping it and trying to get into the *ekka*. The pardah ladies objected to this. The policeman insisted on getting into the *ekka*. On our protest, the policeman said that an *ekka* with a *chhatri* was not allowed to pass that way. The ladies were going to the Kila Gujar Singh quarter. As the policeman would still insist on getting into the *ekka*, or failing that threatening to stop it and take it to the police station, I gave my own carriage to the ladies to drive to their destination and took the policeman and the *ekka* to the police station. My friend also accompanied me. There I wrote out my statement. The policeman in charge gave me a blank paper for writing my statement upon. I waited to hear what was done in the matter by the officer in charge but as nothing was done, after waiting a considerable time, I wrote to the Superintendent of Police here but received no reply. On this I related the whole story to a lawyer friend of mine. He advised me that unless I was prepared to see my house broken into, I should keep quiet. Some months passed and then one day a policeman who was a friend of mine told me to be on my guard as there were some thieves on the look out round about my house. I do not mean to insinuate that there is a necessary connection between this and what my lawyer friend had told me. Now I will refer to two cases which are of recent occurrence. Three or four years ago, punitive police was located at the village of Ghawind, which is situated at a distance of about 34 miles from here. The police instead of protecting the people there began to commit many enormities. Some people of the village came to me and asked me to accompany them and witness with my own eyes their miserable plight. What I found was most cruel and outside the bounds of law. In order to bring to the notice of Government what I had found and seen at Ghawind, I gave publicity to some of the things which had happened there. Sir, at my request, the honourable member who usually occupies a seat on my right (Diwan Bahadur Raja Narendra Nath) and the honourable member who sits on my left (Dr. Gokul Chand Narang) were good enough to accompany me to the village to make their independent enquiries and see the miserable condition

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of the people. They went and after enquiries published their joint report. Among other things, we found out that the police had demanded a seer of sugar from a shop-keeper's boy. The boy refused to give them the sugar without payment. The police shut him up in his own shop and walked away. After some time the father of the boy came to know what had happened. He went to the police and brought them to the shop, gave them the sugar which they had demanded and had the boy set free. I referred to this incident at the time it took place in the press and on the platform, and urged the Government to punish the offenders. But up to this time nobody knows that the Government has taken any action at all in the matter.

The third case I will relate is about the robberies which took place in broad day light before the eyes of two or three thousands of persons and in the presence of the European police officer in charge on the road to Guru-ka-Bagh. During these robberies I myself pointed out to the European police officer that a certain policeman had forcibly snatched away a chaddar from off the person of a man and that it was still wrapped round his waist under his coat. I asked him to see it himself. He rebuked me saying that I had no business in the matter and that if I liked I could go to the police station and make my report there. If I mistake not the honourable gentlemen who now adorns the Ministry of Agriculture in this Council was also present at the time and saw the whole thing himself. Another honourable gentleman who is no longer in this Council, I think, Sardar Bakhtawar Singh and the honourable member from Amritsar (Sardar Jodh Singh) were also present. Besides these a good many other respectable gentlemen saw these acts of broad day light robberies taking place and some of them published in the papers what they had witnessed with their own eyes. Sometime later, a high police officer, Mr. D. G. Mercer, was appointed to investigate into the affair. At his request I sent him a list of the persons who had been robbed and of the respectable men who had witnessed the affair. I also said it was useless for me to give evidence before him, as, if the European officer concerned would tell him the truth, no other evidence was required, and, if he told falsehood, no one else would be believed against him, whatever his position or respectability. That is why people refused to help the police. I gave Mr. Mercer the names of six or seven respectable persons who could give evidence. In one case on this occasion the earring of a person had been torn off from his ear.

Mr. J. M. Dunnett: On a point of order, Sir, is the honourable member in order? I have no wish to stop this accusation, particularly as I was then District Magistrate, but we cannot be expected at a moment's notice to answer in detail all the accusations that are being made. Is such an accusation in detail in order?

Mr. President: The member who is speaking and addressing the House is responsible for the accuracy of the statement he is making. I hope he realises his responsibility in that behalf.

Professor Ruchi Ram, Sahni: I fully realise that and I take all the responsibility for every word that I have said.

I have finished my three cases. Such is the real state of affairs. I have confined my remarks to the narration of three cases out of eight or ten cases which have come within my personal knowledge or experience. So long as the higher police officials and authorities will not sympathetically listen to

the complaints brought against their subordinates, no reform in the police administration is possible. The last Police Commission has recorded in their report that from the high police official to the low, corruption prevails. I do not know how high the corruption extends, but certainly up to the Superintendent of Police. The Government cares more for its own prestige than for the contentment and welfare of the people. When they care less for their prestige and listen to the complaints of the people against their own officials there will be hope for reform, not till then.

Shaikh Faiz Muhammad [Dera Ghazi Khan (Muhammadan), Rural] (Urdu): Sir, it is a matter of common knowledge that corruption is rampant in the police department. I am sure that even the Government cannot deny the existence of this evil. It is also to be found in other departments of the Government. But the honourable members who have made this allegation to-day have not given the reasons for its existence, nor have they attempted to suggest remedies by which corruption can be effectually checked. I will, therefore, Sir, through you, give the reasons which are responsible for the existence of this evil and suggest some remedies which can, in my opinion, meet the situation.

The first and foremost reason for the existence of corruption in the police department, in my opinion, is that the authority of the police officers is vast and extensive. According to the provisions of the Criminal Procedure Code the police officers are authorised to arrest and confine any person in the lock-up for 24 hours. But their pay is not correspondingly high. It is too low in view of the authority they wield. This state of affairs cannot but lead to make the police officers corrupt. Then it has been said that even the officers of higher ranks are corrupt. I think by the officers of higher ranks are meant the Superintendents of Police. I have no knowledge of this personally, but if it be admitted that they are corrupt, I think the same argument applies in their case. The status of the Superintendents of Police in the district is the same as that of the Deputy Commissioner. If the Deputy Commissioner is the head of a district, the Superintendent of Police is also the head of a district, so far as the police department is concerned. Their mode of living is generally the same and their position is almost the same. But while a Deputy Commissioner gets Rs. 2,000 or so as his monthly pay, a Superintendent of Police gets only Rs. 1,000 or thereabout. Another reason for this state of affairs is that the areas attached to the various police stations are very extensive. The third reason why there is so much corruption in the police department is that no regard is paid to the type of persons who are recruited to the police department. While accepting any candidate for the police service, the Government should see as to how many members of his family that particular candidate has to support, what are his responsibilities, and what are the sources of his income? That should be done at the time of recruitment. The Government should also scrutinize from time to time as to how much fortune he has made and how much property he has acquired during the period of his service. Then when he is retiring, he should be asked to account for the large fortune he has made during his service (if he has actually made any) and if he fails to satisfactorily account for the same he must not be allowed the same amount of pension as he would have ordinarily got.

There is still another reason and that is that those who offer bribery are as much offenders in the eyes of law as those who accept it. If almost all cases in which police officers are accused of having accepted bribery fail, it is because those who offer bribery do not come forward to give evidence against the

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accused. The reason for this is not far to seek. They know that on the accused being convicted they are sure to be brought to book for offering bribe to the accused. I suggest that steps should be taken to remove this defect in the criminal law of the country. I am sure if these suggestions are adopted much of the corruption would stop although it cannot be said that it will altogether be eradicated because, I think, that is something impossible to achieve.

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Chaudhri Duli Chand [Karnal (Non-Muhammadan), Rural] (Urdu): Sir, the Provincial Police Enquiry Committee is already considering the various suggestions made by the leading persons of this province for the improvement of the police administration. The Committee is also recording evidence for the purpose and therefore there is no use of considering the terms of reference for the Committee at this time. Sir, I would make a few general observations in connection with the police administration.

Generally speaking there is corruption more or less everywhere even in public life. The Public Works Department is one of the most corrupt departments in the province. Similarly, all other departments are corrupt more or less. But in regard to the corruption prevailing in these departments we can say that the person who offers bribe does so on his own accord and for his own good and the bribe so offered is mutually agreed upon by both the parties, while in case of the police he is forced to pay illegal gratifications to them. The corruption in the police is new of its kind. It is rather extortion. The police extorts money from the people and therefore it is that the public in general and the honourable members of this House in particular make very serious allegations against the police. Now let us consider one of the most important agencies by the help of which the police receives illegal gratifications. That agency is of zaildars and sufedposhes. When a sub-inspector goes to a village for investigation he calls upon the zaildar or sufedposh of the place and enquires of him as to the persons who might be connected with the case under investigation. If he cannot point out any particular person the sub-inspector asks him to give the names of those persons from whom a handsome sum of money may easily be extorted. Thereupon the zaildar or the sufedposh gives the names of a few persons from whom the police extorts as much money as they can. Sir, if you really wish to eradicate this evil from the police administration, one of the ways is that the zaildars and the lambardars should not be placed under the control of the police. No zaildar dare refuse to do what the police requires him to do. He is removable from his office on the report of the police. I know the case of a particular sufedposh who obtained hundreds of recruits for the Indian Army during the great war and rendered all possible help to the Government in those days but he was removed from his office on the report of the police that he (sufedposh) did not care to help the police in its investigations. Sir, so long as the zaildars and sufedposhes are placed under the control of the police, there is little possibility of any reform being effected in the police administration. Another agency for the corruption of the police is that of chaukidars. After every week or so they have to go to thanas for recording the number of deaths and births of the villages and on account of this duty of theirs they are used by the sub-inspectors as their private servants. Very often it so happens that a chaukidar of a certain village being busy on the private errands of a sub-inspector neglects his personal duties of watch and ward and in his absence a certain number of thefts are committed.

In reality the sub-inspector is responsible for these thefts but the responsibility for them is always shifted to the shoulders of the chaukidar. Sir, in order to stop this practice I would advise the Government to entrust the work of registration of deaths and births of a village to the patwari of the place. The next point to which I would draw the attention of the Government is that the sub-inspector being always anxious to show that the number of crimes committed in his thana is very small, refuses to take down the report of ordinary offences submitted by the people. Sir, the sub-inspectors have acquaintance with the bad characters of their thanas but they deliberately permit them to be at large. For instance in the places where the offence of cattle-lifting is most frequently committed, the sub-inspectors make friendship with the ring-leaders of cattle-lifters. They know in their heart of hearts that if they are going to stop the cattle-lifting at all they should challan these ring-leaders. But in spite of this knowledge they do not do it simply because the ring-leaders provide them with one or two milch cattle. Sir, no person can dare to speak a word against a sub-inspector because there is every possibility of the latter's asking some of the bad characters of his thana to break into the former's house. Besides this a sub-inspector can annoy his enemies in hundred and one ways. I have seen that in many cognizable offences there is the hand of the police as well. For instance, recently a dacoity was committed at Delhi in the house of a rich widow in which police constables were also caught red-handed. In the majority of the cases of thefts committed in the houses of money-lenders there is always the hand of the police or police dalals. With all these illegal practices of the sub-inspectors, their promotions are made on the recommendations of their immediate officers who are equally corrupt. A Deputy Superintendent of Police recommends a sub-inspector for promotion to Superintendent of Police and he in his turn endorses the remarks of the Inspector and sends them to the Deputy Inspector-General of Police without making enquiries about the honesty or the dishonesty, as the case may be, of the officer concerned. When a promotion is made, the immediate higher officer remarks that according to his knowledge the officer who is recommended for promotion is strictly honest, although in fact he might be quite otherwise. Now, Sir, let us consider how the police sub-inspectors win over their superior officers. First, by contributing to the police district fund, secondly by providing the officers on tour with articles of food and drink and sometimes with musical entertainments. The sub-inspectors pay all these expenses. Sir, whenever there is a complaint against any one of those sub-inspectors who have thus won over their superior officers, these officers report that the sub-inspector in question is a strictly honest man and the complainants being Hindus or Muhammadans, as the case may be, make vexatious allegations against the sub-inspector. Sir, in my opinion, the police administration can only be reformed if the Indian Civil Service officers of the districts begin to take interest in matters connected with it. I admit that the Indian Civil Service officers of these days are not so experienced as those of former years. But still they can do much if they care to do at all. Sir, make a rule to promote only those officers who are strictly honest and see what results follow. For the sake of an experiment appoint in one tahsil such police officers as are strictly honest. Give them double salary. I am sure that both the public and the Government would not meet with disappointment in the experiment. Sir, I cannot understand one point and that is this that the Government on the one hand is capable of tracing out the most deep-rooted conspiracy and sedition cases, but on the other hand it is unable to do the least so far as the question of well-known corruption in the police

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is concerned. The latter task is not so difficult a matter as the former is. I wonder why the Government is unable to eradicate this poison from the police administration. Sir, Government remarks that in the matter of stopping the corruption in the police, the public does not co-operate with it. This is quite untrue. I would say that the Government in this matter does not co-operate with the people. Take for instance the Ambala division which, in my opinion, is the centre of all corruption in the province. Do appoint a corruption committee consisting of members of this House and some officials of the Government so that it may work in the places where the corruption is said to be at its height ? There was appointed a few years ago a corruption enquiry committee in this province, and at the report of the Honourable Chaudhri Chhotu Ram, one district corruption committee was appointed in the Rohtak district with the result that corruption was almost stopped. I think the Government is not co-operating with the people in order to stop the corruption prevailing in the Government departments. But if there is appointed a police corruption committee anywhere, the police leave no stone unturned to involve the members working on such committee in some serious case. The Honourable Chaudhri Chhotu Ram who raised his effective voice against corruption was implicated in a murder case. Another gentleman who followed the example of the Honourable Chaudhri Chhotu Ram was challaned by the police, with instructions that bail should not be accepted.

Mr. President: Order, order. The honourable member is referring to a matter which, I understand, is *sub judice*. He will not please refer to any fact which is under consideration in a court of law.

Chaudhri Duli Chand (continued in Urdu): Sir, I am not referring to any case which is *sub judice*. Anyhow I leave that point aside. Sir, how can the people co-operate with the Government ? They have to safeguard their own lives and their own honour. Moreover, Sir, our complaints carry no weight with the police authorities. Whatever is reported by a police sub-inspector is taken to be a gospel truth by his superior officers. In their eyes the reports submitted by the sub-inspectors are far more reliable than those submitted by the representatives of the people. Another point which I would urge is that the moral tone of the police official is very much degraded and the moral degradation of the police is mainly responsible for their extravagance. To-day, if a sub-inspector reports one as a rebel the Superintendent, the Deputy Inspector-General and even the Inspector-General of Police would certainly take him as such. Sir, this is how the reports of the sub-inspectors are relied upon, although they are morally very much degraded. They never hesitate to speak lies. The result of all this is that they feel little difficulty in involving a gentleman of any status in any serious offence. Sir, just now an honourable member of this House has remarked that the pay of the sub-inspectors is too low in view of their authority. Sir, I would draw the attention of the honourable member to the pay of sub-postmasters with equal academic qualification. They draw about 30 or 40 rupees a month and with that they are honest, while a sub-inspector drawing 80 rupees a month is dishonest.

Shaikh Faiz Muhammad : On a point of personal explanation, Sir, I would tell the honourable member that I had simply said that the pay of the sub-inspector is low in view of his authority and as such he cannot keep his position well on this pay and naturally he devises means to extort money from the people.

Chaudhri Duli Chand (continued in Urdu) : All right, Sir, it has been often remarked that the corruption in the police can only be stopped by making a considerable increase in the pay of the whole police force. I beg to submit that when the sub-postmasters on Rs. 40 and B. A., B. T's on Rs. 80 in the education department can keep their honesty even on a comparatively low pay, how is it that the police cannot do so? The real point is that while the former have no opportunities to extort money from the people the latter have ample opportunities. If you increase the pay of a sub-inspector to two hundred rupees a month, even then he will not be honest. Reduce the opportunities of his receiving illegal gratifications and you are sure to reform the police administration in that way. In conclusion, Sir, I would submit that under the circumstances which have been alluded to by the honourable members of this House in connection with the police administration, our self-respect does not justify our sanctioning a single pie for the police.

Mr. J. M. Dunnett (Chief Secretary): Sir, after the directions which you gave at the close of the honourable mover's speech and after the course which the debate has in consequence taken, it is less necessary for me to intervene, and certainly it is not necessary for me to intervene in any contentious spirit. But this is a debate, this is an issue which, I do not think, Government can allow to go by default. A very great deal has been said which is, I submit, neither quite fair nor for our present purposes, very useful. The debate is as regards the means or methods of improving the police and is not really a political debate although the earlier part of the debate had that colour.

Now about that earlier part of the debate, I think, in view of the subsequent course of the debate, perhaps the less I say the better. But I wish to say three things, first, that it would be futile to worry about percentages. No one will deny the presence of corruption in the police, but no one will accept such a high estimate as 95 per cent. For the practical purposes of this discussion let us take it that there is a considerable amount of corruption in the police department, and I do not think that the Honourable Member in charge of the department will be likely to take up on this point any other position. The second thing is that I consider it most unfair and utterly unjustifiable to say that the sole and the only person to blame for corruption is Government. To maintain that position can only prove a complete historical, geographical and political blindness. One who maintains that position can have no idea of the history of the police in this province, of how it grew from a system of village and local police, how it was farmed by successive owners, how the history of the police in India has been the history of successive commissions which have sought to eradicate corruption, sodden and ingrained in a system which we inherited. To say that the Government is instilling corruption into the people through the police is both unjust and historically unjustifiable. Again, Sir, a man who maintains that thesis must close his eyes to every country that surrounds us. He must deny the facts of self-administering countries such as Turkey, Persia and other neighbouring countries whose conditions resemble ours and he must deny in them that corruption exists. He must take thought of these countries before he can say that the present Government introduces the roots or the seeds of this foul plant into this country. Lastly, a man who maintains that thesis forgets to look around—this is a delicate

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subject and I wish to hurt no one's feelings—he forgets to cast his eyes on those other organisations, non-official organisations, which have controlled large sums, enormous sums of money. When I think of how these sums have disappeared, I remember how *Sadi* said that a walnut cannot remain on a dome, nor water in the palm of a man's hand, nor patience in the heart of a lover. Sir, those funds do not now exist. The man who attacks Government for corruption must forget whatever has happened outside Government circles within recent years. I did not wish to deal with these points because they are not strictly relevant. I am thankful for your forbearance in allowing me to touch on them.

As to the early part of the debate, I wish to make the third point and it is this. When an honourable gentleman of learning, of distinction and of long experience gets up in this House and says that if only the Deputy Commissioner would take interest, corruption would disappear in one month, my reverence for his years, his distinction and his experience, I regret to say, receive a shock. It is not practical politics to say that by one expedient and especially by one vague expedient, you can eradicate this poison in one month or even in one year.

Now, I go on to what I consider the relevant part of the debate, that is the suggestions that have been made and the speeches that are really in line with the note on the agenda, namely, suggestions for improvements in the department. I may have, in the earlier part of what I have said, spoken perhaps a little hotly, but I wish now to speak quite coolly about these suggestions because the Honourable Member in charge of this department will never lend anything but a ready and sympathetic ear to any honest practical suggestions for the reform of this most important department. Naturally every one who pays attention to these things must have his own opinion and it is inevitable that I should have some difference of opinion with even the most reasonable and honest critic. That is a matter of opinion only and therefore these suggestions for cures of evil require quite calm and sober discussion and I feel no doubt whatever that they will receive that.

Now, Sir, to come to the question of detail of these cures. It is, to begin with, suggested that promotions should be made with regard to honesty. I suppose that the most practically experienced of the speakers who have spoken on this subject is that very speaker who has not touched on a single practical point, I mean the honourable mover. I do not think he will contradict me when I say that it is within his knowledge that promotions in the police department to the grades of sub-inspector and Inspector and perhaps even higher grades are made on a principle and on a special system designed with the very object of giving weight to honesty. Now, Sir, you will tell me that we do not follow that system. But that is another point. The objection taken was that there is no method by which weight is given to honesty in making promotions. Perhaps the House will take it from me that for promotions to the very important posts of station house officer or of thanedar there is a special method employed. These promotions are not made from a seniority list but from a special list where only the names of people chosen with special care and with regard to honesty are entered. That promotion list is not kept a secret but is published in the *Police Gazette* and is open to every one in the department to see and know. Now, Sir, there is the method and I do not think any better method could be adopted and if it is said that that method is not worked suitably, that is a matter of fact and I have no doubt that if

there is any defect in working that method satisfactorily, the Inspector-General of Police will be very happy to do his best to bring that method into fuller operation.

It is said that pay is too low. I am aware that the honourable member for Dera Ghazi Khan said that it is too low in view of the authority police officers exercise. A later speaker pleaded that authority should be reduced, but pay should on no account be increased. When we consider authority, we must always remember that the work has got to be done. Cases have got to be investigated. Either you can reduce the police authority by reducing the number of cognisable cases and making more non-cognisable cases, or you can reduce your number of offences. I am quite sure that those honourable members of this House who wish to discuss the question in a business-like manner will keep in view first the security and peace of the country. It is said that the pay is low. Well, the pay of the police has been subjected time and again to revision and enhancement. There is also the question how much the province can stand in view of the necessity of financing nation-building departments. You have got to cut your coat according to the cloth you have, and I am very doubtful indeed if much can be done in the way of enhancing the pay, nor do I feel sure that this House in its own heart believes that the cure for corruption is to make the bribe-taker a higher paid officer. I am very doubtful indeed whether the House really means that.

As regards recruits, it was said that a man should be taken into the service after an elaborate enquiry and scrutiny to see whether he is going to be honest or not. Well, here I recall the lines in Shakespeare's Macbeth, when King Duncan found that his general had played him false:

"There is no art

To tell the mind's construction from the face."

Well, Sir, I have not yet seen a method. I might have seen it perhaps if I had gone to the various places at Amritsar where members or candidates are subjected to a process known, I believe, as *Sodh* (سوڈھ), but I am afraid there is no method at present. You can only guess roughly what sort of man the recruit is going to be. For a man coming out of service, there is a valuable suggestion made, that if a man has acquired property which cannot be obviously accounted for by any presumption of honesty, then the amount of his pension should come under serious consideration and I have no doubt that the Honourable the Finance Member will take that suggestion into serious consideration.

Mr. Miles Irving: It is already done.

Mr. J. M. Dunnett: It is done but not in the method suggested. The power lies in the hands of Government: Government is not bound to give a full pension. If an officer's service has not been perfectly satisfactory, Government has certainly the power of withholding a portion of the pension. But a special scrutiny of a man's acquisitions and his wealth on leaving service is not at present made and it is possible that something might be done in that direction.

There was one suggestion which I think did not seem very promising, but which, if you probe it and push it, takes you very far, and that was the suggestion that the chaukidar should not make fortnightly visits to the thana. That was described as placing in the hands of the thanedar a lever with

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which he can in various ways commit extortions. In actual fact the system of having vital statistics reported without the intervention of the thana has been under experiment for over a year, or perhaps more, in an area as large as one division. The results are being examined and although on a subject of that kind, where many people note on the files, there is certain differences of opinion, yet I believe the intention is that if this system in that one division proves suitable, it will be generally extended. The matter is one that has not been lost sight of; it is actually under experiment in the hope that if the experiment is successful, it will be generally introduced. But I wish to say this that if you pursue this line of making the chaukidar not a thana menial—which is I believe the accusation, though I do not endorse it—but a village servant, then it opens up this line that you can revive the old village local police and those gentlemen who press for a reduction in the authority of the thanedar and therefore in his opportunity of extorting money, might perhaps pursue this line, to stimulate village police, the village police and not the thana police, to have something analogous to panchayats for the disposal of cases. Foster your village institution. It is from them that the police grew. It arose not in our time, not in British time, but before us; it is from that that your daroghas and *bakhshis* came, and it is because that local system broke down that the Mughals organised the central police and every time we have overhauled the police administration we have not forgotten that it sprang out of local village police, that we must retain the roots and foundations of a village police administration and that for the extension of the police we must at least keep in mind the foundation on which it is all built. The day may come and we hope it will come, when people will take a larger share not only in deciding their own disputes but in preventing and investigating their own crime, and that we may be able to extend in the police domain what has already been done by panchayats in the judicial domain. Therefore, Sir, the suggestion may take you right down to the root of things and may give you better administration and I hope purer and cleaner investigation of crime.

The subject, Sir,—there are many things but I must pass them over—the subject is not one that is to be disposed of vaguely and generally and with heat. It is no use to recite a few instances, shocking though they may be, and then say if officials will keep awake, the thing is done, if officials will show interest it is done or to say that it is all due to the political condition of the country. Those are wild shots. That is beating the air. The thing is an enormous machine working at a very big problem. At places the machine is creaking. Of course it is. At places it is not doing its work, but it is no use standing off at a distance and making suggestions to solve the problem, until we get down to the actual working of the machinery, until we have the technical knowledge which the mover might have brought into this discussion, until we know where it creaks and where it does not creak, and until we know which part is oiled and which needs oiling.

Sardar Jodh Singh (Sikh, Urban): Sir, I confess I have not got a technical knowledge of this department, but I have certain suggestions to make which may prove useful, and I have been encouraged in making these suggestions by the speech of my honourable friend Mr. Dunnett. How is it possible for the police officials to get so much money by extortion? That is the problem. One honourable member said that it was because they have had so much authority, but I think it is because people in villages are too powerless to resist. My friend Mr. Dunnett talked of the old village-

organisation. In that organisation the panch of the village was the peoples' man and when any officers of Government came to the village and tyrannised over the villagers he stood for them. But under the present system the lambardar who has taken the place of the old headman of the village is not the peoples' man but he is under the thumb of the police. He looks to the police for his promotion and hence we find that instead of being the peoples' man and resisting tyranny over the King's subjects he is the chief instrument of their tyranny in villages. My first suggestion therefore is that if we want that villages should be able to resist unlawful methods of the subordinate Government officials we must give some organisation on the old lines to the villagers and that the lambardar should be an elected man. He should be elected by those who pay land revenue or *haisayat* tax. For the chaukidar too, I think we should have a better type of man. Now-a-days the chaukidar is a man who very often does not know how to handle weapons and hence when thieves come with all sorts of weapons this gentleman flies before them. My idea is that the chaukidar should be a sort of reservist as we had in the old army, he should be regularly trained for three years in the police force and then allowed to reside in his village on an allowance. In this way he will be able to do better watch and ward work in the village.

Another suggestion of mine is that the police should be divided into two branches, definitely, watch and ward branch and the investigation branch. We sometimes complain of their authority because it is placed in the hands of those who do not understand how to use it. An illiterate constable is not expected to understand the law and to administer it properly. His chief business should be to look after the life and property of the people and to do watch and ward duty. The investigation branch should consist of literate people and my idea is that if we take Matriculates in that branch and train them for a year or two we will not have to pay much for that. Now-a-days the market is not very dear and we can easily get Matriculates on Rs. 30 or 35 to begin with. You can have Matriculates and give them training in investigation work and then employ them in the investigation branch. Place even an angel over people who cannot resist and my idea is that within a few years he will turn into the reverse of an angel. The root of all corruption is that our people are not organised to resist and hence I want that the old organisation in the villages be restored and the panch should be the elected representative of the people. If I mistake not in Europe in certain countries that is the case. The man who represents the village is often present at police investigations and sees that the authorities do not do anything unlawful against the citizens there.

There is one more suggestion and that is that Government may allow the establishment of private detective agencies. In the case of law we allow lawyers to present the case in the legal phraseology before the court in order that the law may be administered better. Why not then allow detective agencies to investigate crime on payment like lawyers do their work on payment in the courts? In certain cases it should be possible for the police officers themselves to receive payment as a sort of *inam* or something like that from the public. As a matter of fact, I know, Sir, there are several people whose property is stolen who would gladly pay one per cent. or two per cent. as *inam* if the case is properly investigated and the property returned to the owner. Therefore I think that in certain cases it should be

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possible for the public to give something as an *inam* for investigation. I remember particularly one case which happened when I was in charge of the Khalsa School at Lyallpur. A theft took place and I asked the Sub-Inspector that if the tracker traced the property stolen, I would be glad to pay Rs. 10, and the result was that the next day we got the whole property because the tracker did his work .....

Mian Abdul Aziz : Did you pay ?

Sardar Jodh Singh : Yes, I paid Rs. 10 through the proper channel through the thanedar or perhaps the Deputy Commissioner (laughter). I do not think this is a matter which should excite laughter. Many people would be ready to pay Rs. 10 or even Rs. 100 if property worth Rs. 1,000 is restored to them, as we got our property restored. Hence, Sir, these two things, the institution of private detective agencies in certain cases to investigate offence should be allowed to accept what you may call either *bakhsheesh* or *inam* or whatever you may call it. These are the few suggestions that I make for improvement in the department of the police.

Khan Bahadur Shaikh Abdul Qadir (West Punjab Towns [Muhammadan] Urban) : Sir, this is no doubt a very difficult question, but the issue before the House has been very much narrowed by the fact that it is really admitted on all sides that there is a good deal of corruption and things require improvement. The degree of corruption I think, is hardly a point on which we are in a position to come to any definite decision. I take up, therefore, the question of the suggestions that can be made to effect the object we have in view. It has been suggested that honesty should be encouraged and dishonesty punished. That is of course an obvious remedy. The question is how to set about it. The Honourable the Chief Secretary in his speech told us that the department has got a system of encouraging honesty and that it is the aim of Government to encourage it. But on the other hand, the speech of the honourable mover of the motion, tried to clearly establish, and the several speakers who followed him have also said this, that in practice we do not find any great premium placed on honesty. I endorse the view that in practise one does not see honesty rewarded so often as it should be and one does not see dishonesty condemned so often as it should be. I have myself noticed some cases from which I am in a position to make one practical suggestion in connection with the encouragement of honesty, and it is this. The higher officers of the department should try, when the question of promotion of any subordinate comes before them, to have so far as possible independent information as to his honesty or dishonesty and should not be guided solely by the remarks of the immediate superior. It happens very often that a man, as long as he is pleasing his immediate superior gets very good remarks but when another officer comes along, who is not pleased with him, and who is displeased not because the man is dishonest, but for some other cause, a report is made against that man. Ordinarily not only in the police department but in most other departments of Government, the rule is that once a bad report is sent up against a man the officer above that will make a similar report and go on following that report and saying ditto to it and that man stands condemned. Thus his efforts to be honest are very badly rewarded. Several instances of this nature have actually come to my notice on various occasions. This is a fault of the system. The routine that is followed in this department is the same as in other departments, but in

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this perhaps a little too much stress is laid on the reports of the immediate superiors on the ground of discipline. But discipline, however good it may be, is not after all the only thing that is to be looked to. If merits of a question require further looking into it should be looked into and justice should be done to the person concerned. Similarly on the question of punishment for dishonesty, cases are not unknown, and are not infrequent, where the superior officer knows that his subordinate is not the soul of honesty. But he remarks, "Yes, he may be a little dishonest, but he is a very useful man" and therefore on the ground of usefulness he is being pushed up. (Hear, hear). Even the officer above that officer sometimes has an inkling into this fact and he says "Well, we must wink at that". That is really what I think the mover of this motion meant when he said that the Government was to blame in the main. He meant to say that if the Government insists that its officers should stop corruption, it should give them directions that they should be very strict about cases of dishonesty and very generous in cases when they deal with people of known honesty. It is only then, that our efforts can practically result in encouraging honesty and discouraging dishonesty. Sir, there is another point which I wish to make. The one idea which I think it is necessary for the Government, in the circumstances of the present day, to impress upon the officials employed in the police department, is that they should begin to realise that they are the servants of the public and not their lords. (Hear, hear). One of the chief complaints which have been urged against the police is the extremely overbearing manner of the police subordinates. (*A voice: Quite so.*) They think there is nobody who has greater authority than themselves. It was pointed out by one honourable member that the police had great authority and he was proposing a reduction in that authority. I am not thinking of any reduction in authority just at present. I agree in the main with the remarks of the Chief Secretary on this head that work has got to be done and without making any very drastic changes in the personnel and in the number of policemen, perhaps it would not be feasible to reduce the authority of the police. But whatever authority they have I think they exercise it even much more than what they legitimately possess. They make a great show of the authority wherever they are. It is really that unnecessary show of authority, that unnecessarily over-bearing manner of some police subordinates which is causing all this difficulty and all this trouble. Therefore they must be made to realise that they are there to serve the public and to help the public and not simply to lord it over the public.

There are one or two things which I might suggest with reference to the practical working of the department. Most people are familiar with the procedure which is adopted by the police when it goes to a village or any other locality to investigate a crime reported to it. They are supposed to call in, for assistance, some of the respectable persons in the neighbourhood where they go to investigate. If they recover any property and prepare any list of things recovered they are enjoined to do so in the presence of these respectable witnesses and to get these lists attested by these respectable witnesses. But this is done by them every day only in form. What really happens is this: they very often have for certain areas or localities a fixed number of such witnesses whom they take with them and they do not as a rule try to get independent people of respectability from that neighbourhood to come and witness such recoveries. That is just one aspect of the state of things in an investigation. This helps to a considerable

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extent not only the concoction of false recovery lists or manipulation of those lists to the detriment of some and to the advantage of others, but also causes a great deal of criticism in courts and sometimes leads to failure of justice. If the police carry out in spirit and not merely to the letter the injunction that they should call in the assistance of respectable and independent people at the time when they make these searches and make their investigations I think a good many of the evils that are mentioned in connection with this part of the police administration will be diminished. *Ipso facto* the chances of corruption will also be diminished. It is noticed that in some cases courts are in a position to come to a definite finding that a false case has been made out or at any rate false evidence has been put forward by the police. But one very seldom finds that in cases of that kind any special steps to punish those people who are responsible for any such fabrication are taken. I think it would be conducive to the elimination of corruption and to the encouragement of honesty in the department if in those cases in which such findings are arrived at by courts serious steps are taken by the Government to punish the delinquents.

It has been said that lambardars, so far as villages are concerned, are generally under the thumb of the police. That is a remark which has very often been made and it has been made with considerable truth. I want to go a step further and invite the attention of the House to another aspect of this very question and that is that lambardars are very often appointed by the revenue authorities on the recommendations of the police. There is a system, in the present method of appointing lambardars, under which the revenue authorities, before making a selection or before making an appointment, invite reports from the police as to the conduct of the various candidates. It can certainly be urged, as a justification of this procedure, that by this means the authorities who make the appointment are in a position to know if there is any man against whom there is any real black mark and who is not a desirable person for appointment as lambardar of the village. But I would suggest that the revenue authorities, especially the Collector, who generally makes those appointments, should be in a position to know something about the various candidates in the *ilaqa* independently of the report that is called for from the police. They can refer to and rely on certain old records, not made for the purpose of such appointment, to find out whether a particular candidate has generally been helpful to the administration or otherwise or whether he has been of good behaviour or not, that is a perfectly legitimate enquiry for them to make, but I think that at the time when a man is looking forward to appointment as a lambardar or a zaildar or to any post of authority in a village, if he has to look to the good will of the Sub-Inspector before he can really get a recommendation from the tahsildar or from the revenue authorities, it would place the candidate at a great disadvantage and spoil all the chances of his acting independently in any way in future. That is why the charge is levelled at lambardars that they become tools of corruption so far as the taking of bribes by policemen through them is concerned.

Reference has been made to the pay of the police officers and it has been urged that the pay should be raised. On the other hand the Chief Secretary said that it did not seem to be either necessary or desirable to do so. So far as the pay of the Sub-Inspector is concerned, my own opinion is that though it may be true that compared with the authority he wields

it is not a large pay, yet it is a pay which it is not easy to increase and which compares favourably with the salaries of men of equal status and attainments in other departments. But I certainly think that it is worth considering whether the initial pay of the constables is adequate, in view of the expensive times in which we live.

In connection with the question of the class from which officers in the police department may be recruited, there is just one suggestion which I would like to make before I sit down. I think that recruitment of suitable men from among graduates should be encouraged. I know that in the police department it is quite a moot point whether graduates make good policemen. Long ago when they started recruiting graduates I understand the general impression among the higher officers of the police department is that the graduates have not proved a success. I want to take this opportunity of saying that I do not agree with that view. Certain individuals may have been failures, but in certain other cases I have noticed that the moment a graduate is brought into the police department, he starts with a sort of initial prejudice against him. There is prejudice below and there is prejudice above. Most of his subordinates are illiterate or semi-literate people and were getting on very much better with Sub-Inspectors of their own kind promoted from their own ranks and the moment they find a man who either appears somewhat superior or takes somewhat superior airs and of whom they are afraid they begin to give him a bad name. Similarly his superiors find him a bit different from his predecessors of the older type. One respect in which he is different is that he does not talk about his work. The ordinary Sub-Inspector is not so fond of doing something as of going and telling his superior that he has done it. It is unfortunately true again not only of the police department but of every other department that generally an officer likes a man who comes and tells him what he has been doing better than a man who is quietly doing his duty honestly and faithfully but talks very little of it to his superior. The former unfortunately gets on better than the latter in the present day circumstances. Therefore if a graduate goes and does his work silently and if his style of work is somewhat different to the type with which the officers are familiar then they begin to get a wrong impression of him and a rumour goes abroad that the man is not proving a success and that graduates will not do for this department. I think this is really begging the question. You can certainly now get a fine type of man among the graduates, some of whom are in point of physique quite as good as undergraduates or matriculates or semi-literate people and when you can get suitable men with good education why should you not avail of their services. There is a sufficient number of graduates available and you can make your choice according to the criteria which your rules lay down. I think they should be given more encouragement than has been done hitherto and hope they will on the whole prove a useful factor in improving the tone of the department, if tried in sufficient numbers and if given a fair trial.

Sardar Tara Singh [Ferozepore (Sikh, Rural] Urdu) : Sir, generally when any opinion is expressed by these benches the Government thinks that it is only to criticise and discredit the Government. There is no doubt that the Government officers have a greater responsibility to shoulder, but this does not mean that we feel entirely irresponsible and only offer criticism to censure the Government. We feel very strongly on whatever we say and we say because we have personal knowledge of it, because we

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daily see people groaning under it, because we see with our own eyes the victims of such official high-handedness, and because seeing all this we cannot keep quiet. That is why we exert and with genuine feelings to remove such grievances of the people. I, therefore, hope that the Honourable Member for Finance will receive our criticism in the same spirit. Sir, as long as there is not this mutual understanding of each other's motives, we cannot arrive at a better state of affairs. I do not deny that Government tries to understand the feelings of the people, but I must submit that from the peculiar position they hold, it cannot possibly know so much about them as we who live and move among them can and do know. That is why we claim a better consideration for our suggestion than is given to them by the officers. You attach more importance to the report of a Sub-Inspector or of a Head Constable than you do to the unanimous voice of the representatives of the people in this House. This, I submit is wrong. Let me assure you, Sir, that when we open our mouth to criticise any officer or department of Government we do so after we are morally convinced of the truth of whatever we say. That is why we claim that our submissions should merit greater consideration. If this is done, I am sure the administration is sure to be purged of all evils. Now, Sir, even the Government admits of the existence of corruption amongst Government officials. But it lays more blame on the shoulders of the people. Sir, there is no doubt that people are illiterate and more open to the viles of corrupt officers. They have acquired a frame of mind which is not satisfied unless they have bribed and it has been accepted. But, Sir, in spite of this I submit that they are not chiefly to blame. It is the Government who is to blame. The Government says that the people do not come forward with proof of the officer's guilt, that is why the Government can not take action. Now, Sir, this is a defence which we find a little hard to believe. You know, Sir, how successfully the Government brings forth witnesses in political cases where it is so hard to get a man to give evidence. We know they do manage to produce witnesses. How then, can we believe that Government cannot launch prosecution simply for want of witnesses? The fact is that the Government does not consider such prosecutions so important. In political cases it considers that its prestige is endangered and it acts with all its resources to obtain witnesses. But it does not attach the same importance to the eradication of the evil of corruption. That is why this lame and unworthy excuse is put forward.

Then, Sir, the officers of the Government hold so many Durbars. They talk so much about other things but have you ever heard them saying anything about this question of all questions which touches so vitally the social life of the people. They should encourage people to come out with information and evidence against corrupt officers. But they have never said a word about that. Why do they not preach social boycott and other social measures. Why do they not go to the *ilaqas* and sound the people directly on such matters. It was gratifying to note that His Excellency the Governor made a mention of this in his speech at Lyallpur. But I wonder when the head of the province takes such interest in this question the others do not even mention a word about it. If the district officers are also to do this, the people will get encouraged and the evidence, the lack of which the Government complains against so much, will be automatically forthcoming. On the contrary we find that now and then a young man realising his responsibilities and moved

by the spirit of social service, takes to the eradication of the evil of corruption, but no encouragement is afforded to such a youth.

The Honourable Sir John Maynard : Might I ask the honourable member to repeat what he said. He said something about the young man who tried and was prevented. I do not understand how he was prevented.

Sardar Tara Singh (continued in urdu) : There are many young men who take to such work of reformation against the evil of corruption, but the officers instead of encouraging him discourage him and the subordinates do actually try to involve them in some case or other. The result is that his enthusiasm cools down. The Government should make a point to let the people know that it will welcome all true information about a corrupt officer. May I know, Sir, how many awards of land and money and other distinctions and titles have been made upon people for their services in the eradicating of corruption ? I do not know a single one. There are no doubt hundreds of such cases where a man who gave evidence against a police officer was ultimately hauled up and made to pay for his boldness. Sir, as long as the Government itself takes no interest in this our making any suggestion is simply as much labour lost. Now, Sir, a sub-inspector has more influence in the public than a lawyer. A sub-inspector when he finds that a man is against his way of taking bribes begins making reports against him. And if that fellow ever complains against this officer being corrupt the excuse is already there that it was simply due to malice for his reporting against that man. Thus the man is discredited and his allegations are disbelieved. Then, Sir, diaries which sub-inspectors submit are considered as God's words. There is not an officer who can swear that he does not know something or other about an officer being corrupt. But why then do they not come out with the evidence ? Sir, the reason is not far to seek. First because that such officers are not themselves very innocent. They have something to hide. Then they do not care much for it as they do not want to bring their period of service in that district into disrepute thus connive at such things. I, therefore, support my friend Chaudhri Duli Chand in all that he has said about it. Then, Sir, it has been said that they should promote only an honest officer. Pray what is the test of honesty. An officer takes fancy to a man who is honest and he pushes him up. But then there comes another officer who is himself corrupt. He would never like an honest subordinate. He will naturally push a man who serves his ends most. Such officer will never say that he is dishonest. There is, therefore, no test for honesty. Everybody knows that when an officer goes to a *thana* for inspection, so much regard is not paid to the papers in the *thana* as is paid to the white-washing and cleansing its precincts. A lot of expenses are borne by the *thana* people out of a common fund which all of us know exists in every *thana*. Knowing all this how can they ask to furnish more proofs. Is it not enough to show that money does come from somewhere ? When we say anything no action is taken and they ask for written report. But, Sir, this making of written reports is a dangerous weapon to use It can work both ways. No, it works more against the man who supplies this. For the officer comes to know of the source of this complaint and the man who has made this report comes to grief. We can talk these matters here with greater liberty than we can do with your officers. When a man takes the courage to go and report it to some district officer he at once is burned into cinders and the man who had the hardihood to report gets more than he bargained for and is made to keep quiet . . . . . .

The Honourable Sir John Maynard : Sir, I am missing a great deal of an interesting speech. If the honourable member would speak a a little more clearly it would be possible to hear it, but it is not possible at present.

Sardar Tara Singh (continued in urdu) : Now, Sir if a man goes to a thana to make any report, the report is not entered unless he pays some *nazrana*. There are very few reports that are taken without a *nazarana*. If there were a parallel institution to keep a record of such reports, we would know that the number of cases in fact is much more than those reported. One way that I suggest is that patwaris who are literate should be asked to keep a record of all cases and submit their reports to the Tahsildar who should then submit it to the Deputy Commissioner. Then, Sir, the Deputy Commissioner will be in a position to know whether the reports of the police are true statements of facts or not. Then, Sir, my next submission is that when a sub-inspector goes out for investigation he generally calls innocent people and sometimes women as well. Now, he should be asked to keep a register of such people as are asked to attend and they should be given certificates of attendance. So that the Superintendent of Police might know the reason why each man was sent for and whether his attendance was necessary or unnecessary. Now, Sir, by so doing one can easily prove that such and such person was unnecessarily called and maltreated.

Then, Sir, generally sub-inspector forwards his diary three or four days after the happening of the event. During this period he manages to settle terms with the parties and disposes off the property in the way he likes to do. But if this diary was submitted immediately and were to get no time to do the mischief then a lot of corruption can be avoided. Then, Sir, an annual report is submitted by the district officers about the subordinates' efficiency and general reputation. But the public knows nothing of this report. I submit that at least the part of the report which concerns the reputation of the subordinate should be published so that the people might know if the officer knows the real worth of the man and understands him aright. I mean only that part of the report should be published which concerns their reputation.

Then, Sir, I come to the panchayat system. Sardar Jodh Singh told us that the village organisation in the days of his grandfather was so compact that no bad character would live in the village. But Sir, now-a-days, our villages are disorganised. Village panchayat system is very useful and it can help the police very much if the panches are elected. I know of a case in which two years back, the police challaned a person who was in fact innocent. The village panchas thereupon sat in a conference, sifted the whole matter and came to the conclusion that the real culprit was a different man. They then went to the Magistrate and proved their point with the result that the innocent man was let off. Similarly if the police activities were supplemented by village panches much good can be hoped for. The investigation would not be prolonged and the real culprits will be found. I, therefore, submit that the panchayat system should be extended and as long as there are no panches under the Act the Magistrates should be asked to organise them in their respective *ilaqas*. There was a Magistrate I know who orgainsed such panchayats with very good results but his motives were looked at with an eye of suspicion and the thing was discontinued. Government should appoint honest men, men of great repute in their localities as panches. They will help the police very much.

Then, Sir, I come to the luxurious way a sub-inspector lives. I do not deny that there are some Sub-Inspectors who belong to rich families and can afford to live so grand. But how can every sub-inspector drawing only Rs. 80 live in such a princely style when a lawyer earning Rs. 300 or so cannot afford to keep even a servant. Now, Sir, either the man belongs to a rich family or he has other sources of income. These are the only inferences that can be drawn from this The Government should, therefore, keep an eye over how these people spend. I do not mean that they should not live or keep their position. But they must live within their means. A sub-inspector consumes as many as five or six tins of ghee every month while I do not spend as much in the whole year. I, therefore, submit that a man's mode of living can tell you a lot about his reputation. You may not be able to get a legal proof of his guilt but you can take a departmental action. Now, Sir, if the Government wants to reform the administration they must listen to the grievances of the people. With these remarks I close my speech.

Mr. B. H. Dobson (Home Secretary) : Sir, I think my honourable friend the Chief Secretary has dealt with nearly every criticism which required attention up to the point at which he spoke. There was, however, one charge, and a very important charge, which the mover brought against the police force, calling for categorical repudiation. I think it was stated that the entire force from top to bottom were addicted to corruption and that even the higher officers took shares. I wish to take this opportunity of repudiating this assertion, so far at least as the Superintendents are concerned. It is not admitted by the Government that this abuse prevails and I hope the House will agree with me that such statements should not be made without justification and without citation of specific instances in support of these. That, Sir, is all I have to say on this particular accusation.

Professor Ruchi Ram, Sahni : Does not the Police Commission report say something about it ?

Mr. B. H. Dobson : I should like notice of that question. If I remember rightly, something was also said by way of rebuttal in the observations of Government on the report. However, I cannot be expected to answer the question at random.

I want to say a little more on the subject of corruption, because one honourable member maintained that a premium was not put upon honesty in the police force. That I think is also a misstatement. The House will recollect that question was asked not long ago as to whether the police force was rewarded for honesty. I do not know the purpose of the question, but the answer was obvious—the police are not rewarded for honesty. I am sorry the form of the question did not allow me to submit the rest of the draft reply received from the Head of the police department, which was to the effect that honesty is taken into consideration in every case of promotion. I think it is perhaps desirable that that should be generally known.

Another gentleman made the statement that cases of delinquency in court work reported by magistrates are not investigated. That I believe also is incorrect. From my experience as a District Magistrate and as Secretary to Government am able to assert that whenever a court brings to light any case in which the police have failed in their duty the most

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searching enquiry is instituted. I need say no more in regard to this criticism.

I should like to add, as nobody has said anything yet on the subject how depressing a debate of this sort is likely to be upon the *morale* of the police force. After all it is a public service, and it requires the support of the Council. No public service can discharge its duties without the support of the electorate and its representatives. Whatever the defects of our police force, I think it is generally admitted that it is the best provincial police force in India. (*A voice : Question*) : It is of course a matter of opinion, but there are a great many well-informed people who will agree with me. I would like to suggest before this debate closes for the consideration of the House, that this tide of criticism, almost unrelenting criticism, is not likely to improve the efficiency of the force, but will have an opposite and a very pernicious effect. Let the House rather send out a message of good will and encouragement. (*At this stage Mr. J. M. Dunnett said something to the honourable member.*)

My honourable friend reminds me that whenever a police officer is criticised by a Court of Session, the case is invariably referred to a commission of enquiry.

Mian Abdul Aziz [Lahore City (Muhammadan, Urban)] (Urdu) : Sir I am sorry to note that the criticism offered by the honourable members has been considered as unfair and irresponsible by the honourable the Chief Secretary and his official colleagues. If this is so, I must submit that the real object of the presentation of this budget, which is of criticism and scrutiny, and drawing the attention of the Government to the grievances of the peolpe is bound to be lost. . . . . .

Mr. J. M. Dunnett : If there is any suggestion that I intended any insinuation of that kind, I repudiate it. I welcome fair criticism.

Mian Abdul Aziz : I thank the honourable Chief Secretary for his assurance but this debate has been looked upon as mere criticism without any practical suggestions.

The Honourable Sir John Maynard : No, Sir, that is not so.

Mian Abdul Aziz : Sir, I thank the Honourable Member for Finance also for this assurance, and I, therefore, shall try to place my points still more boldly before the Government with the hope that due consideration will be given to them. I put two questions to the Government, and luckily I got very satisfactory answers to both of them. I shall ask another. When the Government admits the existence of corruption in the police, will it please state what percentage of men they have punished for corruption out of a total strength of about 20,000 men ?

Mr. J. M. Dunnett : There is no comparison. The police officer is punished more severely than the officer of any other department.

Mian Abdul Aziz (urdu) . This is not my question, my question is about the percentage of policemen who have been dealt with and punished, my question is not of severity of sentence or punishment. Sir, there is a great amount of corruption in the police, greater than it is in any other department for the reason that they have more to do with the people and they get many chances of extortion, which cannot be denied. I quite agree with my honourable friend Chaudhri Duli Chand's analysis of this general complaint against the police. Sir, the people are forced to bribe the police for

they have their *izzat* and the *izzat* of their family at stake thus it amounts to extortion. The Government itself admits that there are corrupt officers in the police. May I then ask how many of them have been punished?

Mr. President: The honourabale member is repeating the arguments used by other members.

Mian Abdul Aziz: Unfortunately, Sir, I stood up 5 or 6 times but I was not given an opportunity to speak then. I am not repeating the arguments but I am referring to them for another purpose. I shall however obey the ruling of the chair. (Then continued in Urdu). Sir, I would have been glad to know that the Government has taken measures to punish these police officers who are corrupt. It is very easy for the Government to enquire about such officers. But mere talk would not improve the matters. Unless you take some strong measures this corruption is bound to increase which has already increased immensely. One honourable Member, Mr. Dobson it was I suppose, wanted to repudiate the charges against the Superintendents of Police. Sir, I submit that the acceptance of money only is not called bribe. You can be bribed in so many other ways. If you overlook a man or wink at him who accepts bribe, I submit you are also corrupt. Now, Sir, if an officer knowing that his subordinates are corrupt, does not take any action only because when he goes on tour, they supply him with his requirements, he, I submit, also lays himself open to the charge of corruption. How many officers are there who are not fed during their tours at the expense of the *thana* people from their common fund.

Mr. President: Order, order. The honourable member will please speak to the motion and not wander away from it.

Mian Abdul Aziz: I will obey your orders, Sir, I was giving examples by the way, only to prove my case about corruption in the police department. I did not repeat the arguments, I simply met the objections raised by an officer of the Government who wanted to repudiate this charge of corruption against the Superintendents of Police. (Then continued in Urdu). This department of police is so essential a department for the public good and protection, that life would be hell without it for a moment. And if this department is honest and free from evils, it can really be very useful for the Government as well. But any misgiving in the minds of the people created on account of this department is dangerous for the Government. If this department is not reformed, which is for the maintenance of peace and order, the people will be greatly disaffected, and being an essential department of the Government, it gives a bad name to the Government itself. I, therefore, submit that immediate steps should be taken to remove all defects. I know we have had a very long discussion on this question, but as the question applies to all other departments as well, I hope nobody will grudge a little more detailed discussion. We do not want to discredit anybody or any department of the Government. We on the other hand want to see that the Government may not earn a bad name for the doings of this or that department. Sir, I once challenged the Government that I was prepared to prove that corruption is prevalent in a certain department of the Government, but I have not got any satisfactory answer so far .....

The Honourable Sir John Maynard: Will the honourable member make it a little clearer what it was that he said and what was the action not taken by Government.

Mian Abdul Aziz: At the time when the abiana question was discussed, I made certain remarks about the canal department and about the corruption which exists there. After my speech a letter was sent to me by the honourable member Mr. Sangster to the effect that he was prepared to take steps provided I gave him some help. On that I sent him a reply that I was prepared to give true evidence provided those people who offered bribes were not implicated, because according to law they were abettors and they would be implicated. I wanted the Government to give some assurance to protect or to exonerate these persons under the circumstances, but up till now I have not received any definite reply to my communication.

The Honourable Sir John Maynard: I should be glad to enquire into this matter.

Mian Abdul Aziz: I shall certainly be prepared to help the Government. I hold the original letter and if my honourable friend Mr. Sangster had been here he would have corroborated my statement (Then continued in Urdu): That is why I submitted that mere verbal talk would not help. We must know that the Government really wishes to take steps seriously to wipe out this corruption and punish such people, so that we may convince the people. But the Government has done nothing so far though verbal assurances are given on every occasion. Sir, I am myself a zamindar and when I made some efforts to remove corruption, the canal people tried to harm me even. My friend Chaudhri Duli Chand also made it clear that those people who do anything to stop corruption, they or their children are made to pay for it. Government wants that people should come out with evidence to prove all that they say, but I enquire if the Government officers can prove all that they call as unfair and irresponsible criticism. There is a thing which is called circumstancial evidence, coupled with common sense which sometimes more clearly prove the guilt of a person than direct evidence. Therefore, it is not proper on the part of the Government to demand legal proof of everything particularly in such matters. Is it not enough that a sub-inspector drawing 60 rupees keeps 2 horses, 2 buffalos, 3 servants and 4 wives (Laughter). How can he keep all these on Rs. 60 per mensem with his lordlike mode of living. Is it not reasonable to believe that the fellow has other sources of income? The poor chaprasis who live so humbly, they find it hard to feed even 2 mouths on Rs. 20. How can these sub-inspectors live so grand? Now, Sir I submit that by ignoring these things Government encourages them.....

The Honourable Sir John Mayard: No.

Mian Abdul Aziz: I am astonished that the Finance Member disclaims it, my honourable friend is an able officer of long standing. Let him consider if a man can live so luxuriously on Rs. 60 to 100. Are not these facts and circumstances enough to prove dishonesty? My honourable friend Mr. Dobson defended the Superintendents of Police and as no body else has touched this point I deal with this point, but I hope to be excused if I tarry a while over this point. It is a matter of common knowledge that every body in the police *thana* has a fixed share in the income and there is a common fund for the reception of officers and others. They are given grand receptions and when they go they are given presents which include bundles of tea, sugar tins of eatable articles, vegetables, fruits even cases of whisky and even cash in sovereigns and notes quietly kept in a silk hanky.

The Honourable Sir John Maynard : Will the honourable member kindly make it plain by whom these *dalies* were presented ?

Mian Abdul Aziz (Urdu) : I am sorry I could not make it clearer. These inspecting officers when they go back they are given rich presents. There may be a few honourable exceptions but may I know how many of them are there ? You cannot wipe off the facts by denying them. We may not be able to furnish legal evidence but there is a very strong presumption which is permissible under section 114 of the Evidence Act. By surroundings, certain matters and common sense, which is purely possessed by Government officials with their vast experience and shrewdness, we can presume certain matters, at least for departmental punishments though not for judicial proceedings. You should therefore, try to remove all these. I do not say that you should act on very meagre evidence. Try to be morally convinced before you take a step. But do not insist on strict legal proof required for judicial trial. I hope therefore that the Honourable Sir John Maynard would try to do it in his time. If an officer of his sympathetic nature and ability does not do it, we cannot expect it from any body else. I, therefore, request him to issue special instructions on this matter to save the people from extortion and earn their good wishes. Sir, I have 28 years' experience in the criminal courts and I know full well what happens. Our clients come to and ask us to cross-examine a witness in a particular way, and we say that the Court Inspector who happens to be a police officer would object to it, or when they ask us to apply for bail of the accused, we say that the Police will object to it, we are told Oh no, it is alright we have arranged for it. Now, Sir, may I know what this arrangement means ? These people, who belong to accused's party, and the police officers are not connected to them at all, in fact are against them, what does then this arrangement under these circumstances mean, if it does not mean that the officer has been bribed. The police department has become a curse to the people. Have you ever noticed how a sub-inspector or even a head constable or a constable walks. He has not the least tinge of gentlemanliness or human courtesy or feelings about him. You, Sir, who are coming from England, you have seen the English police as well. Do you not notice the difference ? How well behaved, courteous and honest that police of England is ? There are thousands of cases of their impoliteness, rudeness and misbehaviour. I quote a case where some old woman asked the help of a constable and requested him to admonish the boy with her who was mischievous and she was abused in return, in a most filthy language. Sir, you can talk to a Deputy Commissioner with greater confidence but you hesitate approaching a police man. Why is it, because you are afraid of his rudeness, ill-manners and his evil nature.....

5 P.M.

Mr. J. M. Dunnett : What is the cause of that ?

Mian Abdul Aziz (Urdu) : The reason lies in the encouragement they get from their superiors. If you complain against a constable, the officer tells you that they would not interfere for it would affect the discipline. What an excuse ! They care more for their prestige. But they do not understand that in fact there is no place for such a thing in the minds of the people. If people have no respect for you, how can you maintain your prestige ? I hope the Honourable Revenue Member has some experience of it when he was still an ordinary citizen. He must have been sometime or other treated brutishly by one of these constables. The main cause of such a state of affairs is the

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training these people get. You must reform the system of training. I know how they are trained. An Instructor with a cane in hand and an abuse ever ready on his lips is the picture of their training in the school or outside. Any error and you get a full play of the cane and the abuse. When they get this sort of training they come out and give all this to us with interest which they consider their birth-right. Sir, Mr. Dunnett holds that the blame does not lie with the Government alone. On this score I must yield to my friend. I admit that as was suggested in some other connection, we should boycott such persons socially and also those who support them. But, Sir, when one finds himself doomed to punishment, disgrace and misery there is very little choice left to him. He has no thought for social boycott and he finds before himself only one thing that there is the monster before him. Feed him and go away a free man. You have but to do or die. (Hear, hear). Sir, the Police Enquiry Commission is holding its sittings and I had something to suggest. I do not know whether my suggestion will be considered.....

Pandit Nanak Chand : Send your speech.

Mian Abdul Aziz (Urdu) : It will go itself. I, therefore, submit that all these things should be taken into consideration. We do not criticise for criticisms sake. Sir, it is right that these people who deserve promotion should only be promoted. This no doubt should be the guiding principle in such matters. My honourable friend Khan Bahadur Shaikh Abdul Qadir said something about it. But we on the other hand find ـک ضروری ہے از بہا رہوں and generally those people get promotions who are near to the officer or in the good books of their officers whether rightly or wrongly, and naturally those would be so who feed them well.

The people are really getting very much annoyed at the police and I submit that this communal tension is also the result of the police activities to a certain extent. The police through its agents spreads some rumour which goes like fire or instigate the people and the people come to blows over it. In many cases before they actually came to blows the police who are in the know of facts immediately manage to make their appearance just in time to stop them and then take the whole credit of stopping the riot at great personal risk. They submit diaries in heroic terms which are full of their exploits. These confidential diaries are a great factor in the mischief that is created. The superior officers instead of putting unbounded faith in these diaries should try to ascertain facts for themselves. They should try to get in touch with those people against whom these reports are made. This will help them to get at the truth. I know how these diaries misrepresent facts, which are twisted in an entire different sense. I will tell you my personal experience. The first time when Maulanas Muhammad Ali and Shaukat Ali came to Lahore, some five years back, they came to my place and when we were sitting in, probably a police inspector whom I knew by sight though not by name, was standing in front of my house although it was raining. I told the gentleman to step in, so that he might know first hand what was passing inside the house instead of sending up a mere conjectured diary but he never tarried a moment longer and slipped away. He did not step in, for it would never have served his purpose as probably he would have liked to make such a report which were so common though false or highly exaggerated and mostly containing misstatements. You should not believe in these diaries unless you have verified the truth of their statements.

These police officers are over-bearing. They do not have anything to do with any good respectable, reliable or respectable person.

Nor do they try to find out facts from such people, but only from persons of their own choice and that is why they are so much *badnam*. Instructions should issue that every officer from at least Superintendents down to the Sub-Inspectors should try to mix with people of good repute of the *ilaqa*. I know they have to deal with the bad characters and therefore they have to seek their help, or get information from them for it is their duty. They have to get to know them in order to be able to check their evil designs. But they should not have a few patent persons of their own choice to serve them in their enquiries or investigations. These men are in fact touts and they settle the whole thing. These officers should try to mix with better class of people, who will prove more useful to them and would be more trustworthy. I hope Government will consider these suggestions. They will in no way jeopardise the prestige of the Government if they are adopted. In fact they will strengthen the hands of the Government. Reliable people are sure to give more and useful help to eradicate corruption and evil doings of the police. As long as you do not take any action against those whose guilt is proved morally though not legally, this evil will not go out.

Mr. President : May I invite the attention of the honourable member to the motion which has been moved and on which he is addressing the House, and suggest improvements in the department? He has been pointing out mainly the defects in the department. Will he please confine himself to suggesting improvements which he thinks necessary?

Mian Abdul Aziz : I bow to your decision at once. But I wish to know the method by which I can suggest improvements in the department without actually pointing out defects. (Then continued in Urdu). Now, Sir, I shall come to the system of training these police men. I have much to complain of against this training system. We must adopt the system prevalent in England. If for certain reasons we cannot adopt that system just at present let us have something of it. Let us make a start. Now, Sir, I suppose I shall be told that we have all the superior officers from England who have their training there. But, Sir, according to the Persian proverb

هر که در کار نمک رفت نمک شد

when we receive new officers from England they are put in charge of a sub-division. They are not familiar with the conditions of the *ilaqa* and they know not the language of the people. That is the case with many of those who have been living here for the last so many years. They do not know their customs, nor habits and when these new-comers do try to improve the state of affairs, their instructors, who are generally their subordinates, tell them that the people here are different, their ways, etc., are different, they cannot, therefore, be managed by the more civilised ways of the west. They may be left to be handled in their old way. They thus hesitate to interfere with the conditions about which they have no knowledge being more or less afraid lest things should become bad. Thus the whole field is left to the subordinates.

Mr. J. M. Dunnett : Sir, the actual fact is that the Superintendent who comes from Europe is sent to Phillaur for a year where there is an ela-

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bolate system of training and then he is put under authority for another year for further practical training.

Mian Abdul Aziz: The only reply to that I will submit is that after all the training is to be by practical work and not merely by looking at things, or by book reading. Sometimes, the said officer is to be put in charge, and when first put in charge, he is for practical work a new man. As far as police training is concerned, that is the Phillaur training, of which I have already given examples. How far can that school give them the training in the work of investigation? The utmost they can learn there is the law. Practical work they cannot be expected to learn unless they actually come and join the investigation. My main objection was on this question, and I would suggest that such new officers should be placed for training of practical work with some able trustworthy superior officer for at least six months or a year.

Mr. J. M. Dunnett: That is the very system that is being followed. After a year's training in Phillaur they go to a district and work under Court Inspectors and see cases in Courts. They are not put in charge until they have had their training in Phillaur and practical training in a district.

Mian Abdul Aziz: I do not wish to contradict the Chief Secretary but I must say that I have not seen fresh Assistant Superintendents after their training at Phillaur, working as Court Inspectors, and even if it is so, presume it for the sake of argument, such Court work is entirely different from investigating work. Law and rules are all right and good, but are they acted upon and followed? I say mere book knowledge is insufficient. (Urdu) Now, Sir, I have mentioned three things, the conditions of the locality, the customs of the people and their language. I admit they possess a theoretical knowledge of these things but a practical thing is a different matter. Now if an officer does not know the language, how can he be expected to conduct the investigation. Thus a Superintendent and more so a newly arrived Assistant Superintendent of Police has to depend on his subordinates. I agree that they get some training here but that system of training is wrong. It should be revised. Then, Sir, something was said about less pay and more powers. I shall not discuss this for much has been said on it already. These police officers deal with the lives of the people and it is not difficult for them to extort something out of them. Mr. Dunnett who was till recently a District Magistrate knows how these people send in their reports and how confidential diaries are prepared. At first they mention during the investigation of a case that it was stated by such and such person that such and such a man holds seditious meetings at his house or is suspected of having committed some offence then some other opportunity is taken to make a similar report against him till the officer begins to think him to be really a very dangerous character. Then they manage to enter his name in the Police Register No. 10 or put him on some other register to watch his movements and the poor fellow is troubled day and night till he is per force made to pay something or other to the Sub-Inspector or so.

Mr. President: May I ask the honourable member to stick to the motion before the House?

Mian Abdul Aziz: I am, Sir, and shall try to be brief. I am dilating upon this because I know of so many instances. I can tell you hun-

dreds or thousands of them, only if you give me a shorthand writer to dictate to. Then, Sir, is it not a fact that at the time of their transfer, many police officers make requests that they should be posted to such and such a *thana*, for the other is a *Bhukta ilaqa*. If this is true what then does it signify? Can the Honourable Finance Member or the Honourable Member Mr. Dunnett or the Honourable the Legal Remembrancer deny that the matters which have been brought to the notice of the Government to-day did never come to their knowledge before in judicial proceedings. Surely they must have been brought to their notice sometime. I, therefore, appeal to them to reform the state of things. I will now come to the remedies I suggest. The first is better training. The direct appointment of men to the higher ranks without proper qualifications and training should be discouraged. In this connection I beg to submit that only those should be appointed who have been tested and tried. Family services should not be any qualification to these posts. If you have to reward the services of a particular family, give them lands or titles, but for God's sake do not appoint them as police inspectors or honorary magistrates and tyrannise over the poor people. Honesty is at a discount in the police department. A man who is honest is considered as an outcast and a black sheep. The poor man is shunned by everybody till he is forced to adopt the ways of his brethren. I know of cases of men who refused to accept bribe but were made to suffer. . . . . .

Lieutenant Sardar Sikandar Hayat Khan : Then what sort of men do you want in the police department?

Mian Abdul Aziz : Am I to answer this question of my honourable friend?

Mr. President ; When the question is put through the chair the honourable member might answer it.

Mian Abdul Aziz : People should not be employed simply for their family services.

Lieutenant Sardar Sikandar Hayat Khan : My question has not been answered. The honourable member simply says that those who have done service to Government should not be employed. May I know from which class of people these officers should be recruited?

Mian Abdul Aziz : I hope my remarks which I made have not pinched anybody. It was a general remark. And as the question is not put through the chair, I do not wish to say any more on it. (Then continued in Urdu). I do not name any particualr class. Appoint any Punjabi but do not appoint him on the strength of his or his fore-fathers mere war services, or services of unfortunate mutiny days of the last century. Then Sir, I come to the fourth suggestion. Before taking any action against any person you should try to ascertain the truth of the police report received by you. It is impossible to believe that officers cannot come at the truth if they try this way. . . . . .

Mr. J. M. Dunnett : May I ask a question? The honourable member has been enumerating four points. He has given us only one, two and four but he has not given us number three. Will he kindly say what number three is?

Mian Abdul Aziz: I did say number three also. Perhaps my honourable friend did not catch the third. The time at my disposal is short, in fact at an end as it is only 2 minutes to six and I am not going to dilate any further except to make one suggestion. I also see the honourable the Finance Member is smiling because he will be glad to get rid of me as only four or five minutes are left. (Then continued in Urdu). I was saying something about the Enquiry Commission. Let it not be a sham thing. You must tackle this problem very strongly. Dismiss a man about whom you have a complaint of corruption. Thus the points suggested are—

Good and proper training,

Co-operation of the Police Officers with trustworthy and honest respectable people,

Their good treatment and behaviour with the public,

Dismissal and prosecutions of corrupt policemen, whosoever they may be.

With these words, I resume my seat, as the time is over.

The Council then adjourned till 2 P.M. on Tuesday, the 16th March 1926.

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79 PLC—395—30-3-26—SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 12ND PUNJAB LEGISLATIVE COUNCIL.

Tuesday, the 16th March 1926.

The Council met at the Council Chamber at two of the clock. Mr. President in the Chair.

QUESTIONS AND ANSWERS.

2882—2884—*Cancelled* :

MANJEHR-BAROTA CANAL.

2885. Chaudhri Ram Singh : (*a*) With reference to the answer to question No. 1907* put on the 20th June 1925, will Government please state whether the owners of Barota in the Kangra district have made several petitions since the date of the answer for the remission of water rate? If so, will it please state—

(*i*) the number of such petitions ;

(*ii*) the date on which they were received and the decision arrived at on them ;

(*iii*) whether the Revenue Officer, district Hoshiarpur, ordered that instalments of water rate having been fixed for the time being petitions for the remission of the same should be made again at the proper time ?

(*b*) Will Government consider the advisability of appointing, in addition to the manager of the Shah Nehr, some responsible officers of the Hoshiarpur and Kangra districts to devise means for doing justice to the claims of the owners of Barota ?

(*c*) Will it please also state—

(*i*) whether the surplus water for which no *abiana* should be charged in accordance with the terms of the agreement and which has been described as tail water instead of being called surplus water is not the surplus water of these canals ;

(*ii*) whether this water irrigates any other village except Barota and Paral ;

(*iii*) whether the Shah Nehr Department is responsible for any damage done to the lands of other places by what is now called tail water, and, if not, why not ?

(*d*) Will the Government please state whether the rate has ever been charged from the area which is now proposed to be assessed ?

(*e*) If the Shah Nehr department has decided to charge Rs. 10 per 100 acres, will it arrange to irrigate the area which has become *barani* on account of the breach of the Manjehr-Barota canal ?

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*Vol. VIII-B, page 1139, and App. VIII, page cxxxvi.

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(f) Will Government please also state with reference to other canal colonies, whether the percentage of output of various grains is the same when irrigated by canal water and tail water, respectively? If the output is less under tail water, will it please state why Rs. 10 per 100 acres is being charged on tail water?

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

ROYAL TREES.

2886. **Chaudhri Ram Singh:** Will Government please state what trees in the Kangra district are known by the name of Royal trees? Will it also please state the reason why the Government classified as Royal trees which grow in the cultivated lands of private owners?

The Honourable Mian Sir Fazl-i-Husain: No trees in the Kangra District are known by the name of "Royal trees".

RECLAMATION FROM SHAMILAT FORESTS.

2887. **Chaudhri Ram Singh:** Will Government please state for the last three years—

(a) the area of the land reclaimed from *Shamilat* forests and brought under cultivation in the Kangra district;

(b) the number of applications received from zamindars for the reclamation of such lands and the number of applications accepted and rejected, respectively;

(c) the number of zamindars who reclaimed and the area of land reclaimed by them without permission and also the number of cases instituted against them and the amount of compensation recovered from them?

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

DAMAGE TO FORESTS IN TAHSIL HAMIRPUR.

2888. **Chaudhri Ram Singh:** Will Government please state with reference to tahsil Hamirpur, district Kangra—

(a) the number of cases instituted by the Forest Department against persons for damaging forests and the number of persons prosecuted;

(b) the number of persons who were fined;

(c) the amount of fine recovered;

(d) the amount of compensation realised and the number of persons from whom that was realised; and

(e) the number of persons acquitted?

The Honourable Mian Sir Fazl-i-Husain : It is impossible to answer the question as it is unlimited in its scope.

HALLA PENALTY.

2889. **Chaudhri Ram Singh :** (*a*) Is the Government aware of the fact that the department of Shah Nehr, Mukerian, District Hoshiarpur, is imposing *halla* penalty on the owners of private canals who pay for water at the rate of Rs. 10 per 100 acres ?

(*b*) Will it please state for the last two years—

(*i*) the amount of penalty imposed respectively on various canals ;

(*ii*) the amount of the penalty so far realised and that which is still unrealised ;

(*iii*) whether any private owner has appealed against such imposition ;

(*iv*) the rate at which this penalty is being charged ;

(*c*) Will it please also state the reasons for the imposition of such penalty when the owners of private canals are being charged Rs. 10 as water rate for every 100 acres ?

(*d*) Will it please state if there is any understanding about this penalty ? If so, will it please lay a copy of the same on the table ?

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

SHAH NEHR, MUKERIAN.

2890. **Chaudhri Ram Singh :** Will Government please state when Shah Nehr, Mukerian, was started, and will it also please state the period during which it has been under Government management ?

The Honourable Mian Sir Fazl-i-Husain : It was dug about the year 1744 and has been under Government management since about 1890.

SHAH NEHR CREEK.

2891. **Chaudhri Ram Singh :** Will Government please state with reference to revenue records whether before the excavation of the Shah Nehr canal the stream now called the Shah Nehr creek flowed through the districts of Kangra and Hoshiarpur or not ?

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

ACHHRU RAM, MUHARRIR OF SHAH NEHR, MUKERIAN.

2892. **Chaudhri Ram Singh :** Will Government please state if it is a fact that Achhru Ram, muharrir, in the department of Shah Nehr,

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Mukerian, district Hoshiarpur, has been serving in this department for the last twenty years or so and has not been transferred so far? If so, will Government please state the reasons why he has been allowed to stay on at this post for such a long time? Will it please consider the advisability of transferring him immediately to some other place?

The Honourable Mian Sir Fazl-i-Husain: Assuming the facts are as stated by the honourable member it is difficult to understand the ground on which interference by Government is suggested.

2893—2896—*Cancelled.*

SUPPLY OF CHADDARS TO PRISONERS.

2897. Chaudhri Afzal Haq: Is it a fact that the sheet or chaddar which is issued to the prisoners in the summer season is less than five feet in length? If so, will the Government be pleased to say if they are considering the desirability of issuing in future chaddars or sheets not less than six feet in length?

The Honourable Sir John Maynard: The length of the sheet or chaddar is seven feet?

SUPPLY OF SWEETS TO PRISONERS.

2898. Chaudhri Afzal Haq: (*a*) Is it a fact that the Superintendent of the Rawalpindi jail gives one chatak of *gur* to every Akali prisoner?

(*b*) Is Government aware of the fact that *gur* or sweet is a necessary food of the Punjabis?

(*c*) If so, will the Government be pleased to say whether they are considering the advisability of supplying *gur* to every prisoner?

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

TEJA SINGH BUCHAR.

2899. Chaudhri Afzal Haq: (*a*) Is it a fact that Teja Singh Buchar who had been convicted under section 395/152, Indian Penal Code, in connection with Gurdwara Thumb Sahib was conditionally released?

(*b*) Is it a fact that after some months he was again arrested and ordered to complete his term of imprisonment?

(*c*) If so, will the Government be pleased to say why he was again arrested, and what was the condition that he violated?

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

PROHIBITION OF SALE OF LIQUOR IN RAWALPINDI MUNICIPALITY.

2900. Chaudhri Afzal Haq: (*a*) Is it a fact that the Rawalpindi municipal committee passed a resolution sometime back prohibiting the sale of liquor within the limits of the municipality?

(b) Is it a fact that the Deputy Commissioner, Rawalpindi, called upon the public of Rawalpindi to record their vote on this question at the polling station ?

(c) Is it also a fact that the Deputy Commissioner appointed only one day for recording such votes ?

(d) Is it a fact that the public of Rawalpindi assembled in a mass meeting and requested the Deputy Commissioner to extend the number of days fixed for recording the votes and to grant leave to Government servants for recording their votes ?

(e) Is it a fact that a deputation of leading citizens of Rawalpindi also waited upon the Deputy Commissioner to reconsider his decision ?

(f) Is it a fact that the Deputy Commissioner, Rawalpindi, did not agree with their view points and did not treat them courteously ?

(g) Is it a fact that in another mass meeting the public protested against the attitude of the Deputy Commissioner and also resolved not to record their votes in protest ?

(h) If the answers to the above be in the affirmative, will the Government be pleased to state if they have since instructed the Deputy Commissioner to reconsider his decision and to take necessary steps to ease the situation ?

The Honourable Sardar Jogendra Singh (*a*) Yes. The Municipal Committee asked for a referendum on the 16th of January 1926.

(*b*) Yes. The Deputy Commissioner fixed the 12th February 1926 for the recording of votes.

(*c*) No. The Deputy Commissioner at first fixed one day, but afterwards allowed four days for recording the votes.

(*d*) On the 31st January, there was a meeting of about 100 people who passed a resolution thanking the Deputy Commissioner and the Municipal Committee for their action ; but requesting that the polling be postponed till the 27th of February 1926 instead of 12th February and another resolution urging the public to muster strong at the polls. On the 31st of January the Deputy Commissioner decided that a second day would be necessary for polling. The Municipal Committee wrote on the 4th February, asking the Deputy Commissioner to extend the time to three days. The Deputy Commissioner on the 9th ordered extension of polling to four days, and also that his staff should get the necessary time to record their votes.

(*e*) A deputation of certain citizens of Rawalpindi City waited on the Deputy Commissioner on the 6th February. They were too many in number to receive in a room, so the Deputy Commissioner met them in his garden. The meeting was of a most friendly character. As arrangements had been made for polling on the 12th of February the Deputy Commissioner had to decline to postpone the beginning of polling to 27th as certain gazetted officers had made arrangements to be at the polling station on the dates originally fixed. As to the number of days for polling he assured them they would get fair play, and said that if he found on the evening of 2nd day that the 10 polling officers at 5 polling stations had not been able to deal with all the votes, then he would extend the time.

[Hon'ble Sardar Jogendra Singh.]

The deputation promised to write to the Deputy Commissioner asking that clerks of the offices of Controller, Military Accounts and other offices be given time to record their votes, but did not do so.

(*f*) Another meeting was held on the 11th. The resolution not to vote was, according to the Deputy Commissioner, due really to the fact that people had not made up their mind whether prohibition was sound or not. They knew that illicit liquor is being sold in nearly every street in the city and that already many people go to Cantonments for liquor which they get better and cheaper there than in the city. The votes actually recorded were :—

On the 12th	4
On the 13th	*Nil.*
On the 15th	*Nil.*
On the 16th	3
Total ...	7

Out of an electorate of 19,585.

(*h*) Does not arise.

Chaudhri Afzal Haq : Will Government be pleased to say what was the number of the deputationists ?

The Honourable Sardar Jogendra Singh : 100.

Chaudhri Afzal Haq : Was 100 the number of men who attended the mass meeting or of those who waited upon the Deputy Commissioner ?

The Honourable Sardar Jogendra Singh : The number of men so far as the record here shows was 100.

Chaudhri Afzal Haq : Did the deputationists in a mass meeting resent the treatment of the Deputy Commissioner and pass a resolution to that effect ?

The Honourable Sardar Jogendra Singh : I am not aware of any such resolution.

MONEY TAKEN POSSESSION OF FROM PRISONERS.

2901 Chaudhri Afzal Haq : Will the Government be pleased to state what sum of money has been taken possession of by the jail officials in the several jails of the province on account of search of persons made by them in prison barracks in 1925 and how that sum of money has been disposed of by Government ?

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

HANGING OF PRISONERS.

2902. Chaudhri Afzal Haq : (*a*) Will the Government be pleased to state if it is a fact that prisoners condemned to death are not usually hanged in the districts to which they belong ?

(*b*) Is it a fact that the condemned prisoners have expressed a desire that they should be hanged in their own districts so that all their friends and relatives may have a last interview with them ?

(*c*) Are the Government aware of the fact that the relatives and friends of the condemned prisoners find it difficult to have an interview with the prisoners on account of the expense and inconvenience involved in travelling long distances to reach the place where the prisoners are hanged ?

(*d*) If the answers to the above are in the affirmative, will the Government be pleased to state whether they will consider the advisability of taking steps to see that condemned prisoners are hanged in the districts to which they belong ?

The Honourable Sir John Maynard : (*a*) and (*b*) When a condemned prisoner petitions, or when it is brought to the notice of the Inspector-General of Prisons, from any other source, that a condemned prisoner wishes to be transferred to a jail in his own district, the question is duly considered by him, and there are many cases on record where such transfers have been effected.

(*c*) Government is not aware of any cases of hardship.

(*d*) Owing to the limited number of condemned cells and large number of condemned prisoners such transfers cannot at present be always carried out.

SUB-INSPECTORS OF CO-OPERATIVE CREDIT SOCIETIES.

2903. Sardar Gurbakhsh Singh : (*a*) (*i*) Will the Government please state the scale of pay given to the Sub-Inspectors of Co-operative Credit Societies ?

(*ii*) Is it a fact that the Sub-Inspectors have to keep a horse at their own expense ?

(*iii*) Is the Government aware of the discontent of these officers owing to their poor scale of pay ?

(*iv*) If so, will the Government please state what action it proposes to take to better their prospects ?

(*b*) (*i*) Is it a fact that the Sub-Inspectors are not Government servants ?

(*ii*) If the answer is in the affirmative, will the Government please state if there is any objection to convert them into Government servants ?

(*iii*) If so, what ?

The Honourable Sardar Jogendra Singh : (*a*) (*i*) The scale of pay of Sub-Inspectors of Co-operative Societies is Rs. 50—90.

[Hon'ble Sardar Jogendra Singh.]

(ii) Sub-Inspectors are expected to keep a horse at their own expense if their duty requires it.

(iii) Government has no information as to their discontent.

(iv) They are not servants of Government, and Government is not in a position to take any action.

(b) (i) They are not Government servants.

(ii) and (iii) Government does not propose to make the employees of the societies Government servants, since it is desirable that the co-operative movement shall manage its own affairs as far as possible.

INSPECTORS OF AGRICULTURE.

2904. Sardar Gurbakhsh Singh : (a) Will the Government please state how many Inspectors of Agriculture in the province are in Government service and how many are not in Government service ?

(b) Will the Government please state whether it intends to provincialise this service or not ?

The Honourable Sardar Jogendra Singh : (a) There are no Agricultural Inspectors in the Agricultural Department.

(b) The question does not arise.

MUNICIPAL COMMITTEE OF AMBALA CITY.

2905. Sardar Gurbakhsh Singh : (a) Will the Government please state whether any orders were passed by it for making enquiries about certain allegations made by the Hindu Panchayat and the Hindu Sabha, Ambala, in the matter of the working of the Municipal Committee of Ambala City ? If so, will the Government please state when and what orders were passed ?

(b) Will the Government please state what action has been taken in consequence of the orders so passed and whether enquiries have been started or not ? If the enquiries have not yet been started, will the Government please issue orders for an immediate action in the matter ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (a) and (b) If the honourable member is referring to the representation made by the Hindus to the Honourable Minister for Education, when he visited Ambala in November 1925, the reply is that the matter is still under consideration in consultation with local officers.

2906—*Cancelled.*

VOTERS' LIST OF GURDASPUR MUNICIPAL COMMITTEE.

2907. Maulvi Mazhar Ali, Azhar : (a) Is it a fact that the registers of voters of the Gurdaspur Municipal Committee were revised in December 1925 ?

(b) Is it a fact that complaints were made in the second fortnight of December that the registers were not being properly prepared and that names were being entered or omitted in contravention of the rules?

(c) Is it a fact that in spite of the complaints the registers as finally prepared were very defective?

(d) Is it a fact that several applications were made by the voters objecting to unwarranted entries or claiming to be registered on the ground of their names having been illegally omitted from the registers? If so, will the Government kindly state—

(i) the number of such applications;

(ii) the number of claims in each application;

(iii) the number of objections in each application; and

(iv) the amount of court-fee originally affixed to each application?

(e) Is it a fact that the revising authority ordered that the applications should be stamped with court-fee of rupee one in respect of every claim and objection? If so, what was the amount of court-fee "required" in respect of each application and that "paid" in respect of each?

(f) Is it a fact that Maulvi Abdul Hamid, one of the applicants, put in an application for revision before the Deputy Commissioner in order to have the order of the revising authority set aside?

(g) Will the Government be pleased to state the number of claims or objections made by Maulvi Abdul Hamid in respect of the following items:—

(i) the names entered twice in Ward No. 3;

(ii) the names of persons who have been absent since long and who have been registered as voters in Ward No. 3;

(iii) the names of those registered as voters in Ward No. 3, but who are below twenty-one years of age;

(iv) the names of those who live in Ward No. 3 since less than one year and have been registered as voters;

(v) the names of those who are registered in Ward No. 3, but who are dead;

(vi) the names of those registered in Ward No. 3, whose income is less than Rs. 15 per mensem;

(vii) the names of those who live in Ward No. 3 and earn more than Rs. 15 per mensem, but who have not been registered as voters;

(viii) the names of those who are registered both in Ward No. 4 and Ward No. 3;

(ix) the names of those registered both in Ward No. 2 and Ward No. 3;

(x) the names of those registered in Ward No. 4 and whose income exceeds Rs. 15 per mensem;

[M. Mazhar Ali, Azhar.]

(*xi*) the names of those registered in Ward No. 4 and who live in the Ward since less than one year;

(*xii*) the names of those registered twice in Ward No. 3;

(*xiii*) the names of those registered in Ward No. 2 and also in Ward No 4; and

(*xiv*) the names of those registered in Ward No. 3 as well as in Wards Nos. 2 and 4;

(*h*) Will the Government please state—

(*i*) in respect of which items was the application for revision accepted and on what grounds; and

(*ii*) in respect of which items was it rejected and on what grounds?

(*j*) Will the Honourable Minister for Education reconsider the extent of mischief done in the matter of registering votes in municipalities and consider the question of the advisability of cancelling the rule requiring applications of claims and objections to be stamped?

(*k*) Does the Honourable Minister for Education propose to place the local bodies on the same footing as the Provincial and Central Legislatures in respect of allowing claims and objections regarding entries made or omitted in the registers of voters to be preferred without any Court Fee stamp. If not, will the Honourable Minister please state the reasons for his refusal to do so?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

TAHSILDARS.

2908. Maulvi Mazhar Ali, Azhar: Will the Government kindly lay on the table a statement showing—

(*i*) the number of Tahsildars in the Province; and

(*ii*) the number amongst them who are Hindus, Muslims, Sikhs, Christians and others, if any?

The Honourable Mian Sir Fazl-i-Husain: The honourable member is referred to the general reply to Council Questions* Nos. 1961—1975.

NAIB-TAHSILDARS.

2909. Maulvi Mazhar Ali, Azhar: Will the Government please lay on the table a statement showing —

(*i*) the number of Naib-Tahsildars in each division of the province; and

(*ii*) the number amongst them who are Hindus, Muslims, Sikhs, Christians and others, if any?

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*Vol. VIII-B, pages 1167—1181, and App. VIII, page cxli.

The Honourable Mian Sir Fazl-i-Husain : The honourable member is referred to the general reply to Council Questions Nos. 1961—1975. *

GIRDAWAR-QANUNGOS.

2910. Maulvi Mazhar Ali, Azhar : Will the Government please lay on the table a statement showing—

(*i*) the number of Girdawar-Qanungos in each district of the province; and

(*ii*) the number amongst them who are Hindus, Muslims, Sikhs, Christians and others, if any ?

The Honourable Mian Sir Fazl-i-Husain : (*i*) The information will be found in Form No. I appended to the annual Report of the Director of Land Records for the year ending 30th September 192[illegible].

(*ii*) A reference is invited to the reply given by Honourable Member, Finance, to Council Questions 1961 to 1975*.

CO-OPERATIVE CREDIT SOCIETIES IN THE GURDASPUR DISTRICT.

2911. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(*a*) the number of existing co-operative credit societies in each tahsil of the Gurdaspur district?

(*b*) the number of those societies in each tahsil which belong to—

(*i*) class A, (*ii*) class B, (*iii*) class C, (*iv*) class D and (*v*) the category of those gone into liquidation ?

(*c*) the number of societies in each class which are mainly (*i*) Muslims, (*ii*) Hindus, (*iii*) Sikhs and (*iv*) others, if any ?

The Honourable Sardar Jogendra Singh : (*a*) and (*b*) Government does not consider that the value of the statistics suggested would be in any way commensurate with the time and labour involved in collecting them.

(*c*) Societies are intended to serve the interests of all communities. No communal classification exists.

Chaudhri Afzal Haq : Is it a fact that statistics in regard to parts (*a*) and (*b*) of the question are kept by the department already ?

The Honourable Sardar Jogendra Singh : No.

Chaudhri Afzal Haq : With regard to part (*c*) does the Honourable Minister propose to have this classification by which it may be known which of the societies are mainly Hindus, Muslim, or Sikhs ?

The Honourable Sardar Jogendra Singh : I do not think so.

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* Vol. VIII-B, pages 1167—1181, and App. VIII, page clxi.

GOVERNMENT'S DEMAND FOR GRANTS.

POLICE GRANT—*concld.*

Mr. President: The Council will now resume the discussion on Chaudhri Afzal Haq's motion.*

Mr. E. Maya Das [Nominated, non-official]: Sir, I must confess that I have heard the speeches about the corruption in the Police department with a sense of deep humiliation. It makes me very sad to think that so many amongst my countrymen in the police department are such bad men. But, Sir, there are some reasons whereby I console myself. The first is that police arrangements in the olden times were much worse. The second is that there is improvement although the critics declare that the rate of improvement is very slow. The third is that the bitterest critics have been compelled to admit that there are at least some honest men in the Police department. The fourth is that the Council members appear to take such a deep interest in this subject. This spirit of criticism on the whole is perhaps a good sign, as it shows a desire for higher and nobler things, and it is a matter of gratitude that at least some of the criticism offered was of a constructive nature.

We have heard a great deal of what the police should do and what it should not do. But very little has been said about the support which the police should receive from the public. A few days ago I happened to be sitting near two police officers who did not know me. One was a Deputy Superintendent of Police and the other, I think, was an Inspector of Police. I heard them discuss police matters, and I am certain that what they spoke they spoke honestly and truthfully.

One of the things they discussed was how under certain circumstances when the police were acting with absolute fairness the public hindered rather than helped them. For instance, some men have a fight, several persons are injured and a man dies. The relatives report the case to the police and name the witnesses. Later, the relatives of the accused have pressure brought upon the relatives of the deceased and win them over, and the result is that the statements are offered in such a distorted fashion that the accused is let off, but the police do not escape the accusation of having put up a false case.

This debate was commenced with the object of making suggestions to improve the police administration. I beg to ask, Sir, is this the best way of making improvements by calling the police all the bad names that could be thought of? Would it not have been better to acknowledge their good work also? How many policemen have braved armed dacoits and arrested them? (Hear, hear). How many have laid down their lives in making such efforts? How many have been called upon to take charge of dead bodies.....

Chaudhri Afzal Haq: I rise to a point of order. I do not see any relevancy in what the honourable member says. The honourable member is only speaking in praise of the department while he has not spoken a word as to the methods of improvement. He has not suggested any improvement as yet.

The Honourable Sir John Maynard: Did you? (Laughter).

* "That the total grant be reduced by Re. 1."

Mr. E. Maya Das: May I ask, Sir, whether any of the critics have not heard of acts worthy of praise? With your permission I will make mention of one such which recently came to my notice. One Sub-Inspector was offered bribe, he refused to accept it. The bribe was raised to two thousand rupees and yet the Sub-Inspector stood firm and discharged his duty honestly.

The members of the police department may be classified as follows: bribe takers, honest men and those who are sitting on the fence. I beg to point out, Sir, that such harsh criticism as we have heard does no good to the confirmed bribe takers. It certainly does harm to the honest man that he received no word of encouragement, and as for the third man sitting on the fence it rather assists him to throw in his lot with the bribe takers. I wish to ask the critics one question, that besides hurling their severe condemnation on the police, what other contribution have they made to bring about the purity in the police department? How many relatives and close friends have they got in the department? I hope that they have got a large number, and I also hope that they have influenced them to lead honest lives, and that is probably the explanation, I presume, that there are at least five per cent. honest men in the Police department as has been alleged by some critics. I would also say to the critics "Have you any suitable young relatives or friends? If so, imbue them with thoughts of purity and send them to join the police department and thus increase the number of honest men in the department?"

I have one suggestion to offer to the Council members. If it can be arranged let the Council members invite the newly appointed Sub-Inspectors in a meeting and appeal to them in the name of the province to live honest and pure lives. I think that such an appeal coming from the representatives of the province is likely to make a deep and lasting impression on some, if not all, of them. I have now finished, Sir. I have only one word more to say to the critics. The finished article cannot easily and quickly lose all the characteristics of the raw material from which it is manufactured. (Hear, hear and cheers).

Sardar Buta Singh [Multan Division and Sheikhupura (Sikh), Rural] (Urdu): Sir, it has been admitted on all hands that corruption does exist in this department. Some members also say that police officers accept bribe with the connivance or at the instigation of the Government, while Government denies it. It says that it has no hand in it. Make some practical suggestions, Government says, and it will consider them. Now, Sir, it is given to us to judge things only by facts, and though there may not be a direct instigation on the part of the Government to allow its officers to accept bribe, the facts are there which lead reasonable men to this conclusion. I shall cite a few examples to prove the statement I have made, and then proceed to make a few suggestions. Yesterday, the members were asked to bring to the notice of the Government the cases of officers who take bribe. Here is one which happened only last year in the Sheikhupura district. The case which I am going to cite presently proves that Government if it helps anybody helps the wrong man. It helps the officer who is corrupt. Last year, a person belonging to a village called Varan in the district of Sheikhupura, I might as well name him, one Shinghara Singh of Varan complained against a Sub-Inspector that he had taken bribe. Now, Sir, a *primâ facie* case was established against the officer

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to the satisfaction of the Magistrate who issued summons to the Sub-Inspector. Now, Sir, this fellow somehow or other succeeded in moving the Government to allow him the services of the Public Prosecutor. Not only that. This fellow, this Sub-Inspector against whom a *prima facie* case of having accepted bribe was established, was under orders of transfer to Montgomery. He approached the Government and got those orders cancelled till the pendency of the case and did actually stay there as long as the case lasted. Now, Sir, let us see what happened. A man brings a case against a police officer for having accepted bribe. The Government, mind Sir, the Government which is pledged and which is so loud in asserting that it is ready to punish any officer who is corrupt, instead of affording any assistance or encouragement to the poor man who is prosecuting the case actually goes and helps the alleged corrupt official with legal aid and other facilities. Now, Sir, may I know what conclusion does this incident lead us to? Do we get any encouragement? Do we get justice. This interesting story will tell you what. During the pendency of that case this poor villager was sitting one day in the verandah of the court of the Magistrate when two police constables came and started quarrelling with him. You can very well understand, Sir, what game these constables were playing and to whose tune they were dancing. They were after bringing this presumptuous rustic who had dared to defy the Olympian god to grief. And they succeeded. He was prosecuted, I suppose, under section 332 or some other section and sentenced to 6 months' rigorous imprisonment, though I am glad to inform the House that he was acquitted on appeal to the Sessions court, on the evidence of a Magistrate in whose court he was prosecuting the Sub-Inspector. Now, Sir, we are asked to believe that Government wants to punish corrupt officials and does not do so for the mere lack of evidence. Now, Sir, I shall pass on to another instance to prove the alluring encouragement and the admirable assistance the Government gives to those who want to help the Government in the eradication of the evil of corruption. Two people were arrested for house-breaking. They were arrested only as suspects. There was no proof against them, conviction was impossible. But police must get them convicted. So they tried to have their confessions They began hammering the two fellows and gave them good beating with the result that one of them threw himself into the well and drowned himself. Sir, I would not say that he was killed although that is what the people will tell you. They will tell you further that he was tied by his feet by means of a rope, the latter gave way and the suspect was thus thrown into the well. The other fellow was the son of an influential person. This fellow was also thoroughly belaboured. His relatives came to know of it and wanted to see him. But they were not allowed an interview. They then approached the Superintendent of Police and the Deputy Commissioner who granted the application for interview and ordered the Sub-Inspector to produce the suspect. Now, Sir, you will probably expect me to say that the interview was granted after the orders of the Deputy Commissioner, but I am afraid I must disappoint you. For four days the youth was taken from place to place on some excuse or other. He was first taken to Sialkot and then to Lahore and then to Amritsar till his wounds were healed and the marks of beating disappeared. Now, Sir, though two innocent persons, persons whose guilt was not proved, were beaten, one of whom managed to die, I do not say, he was killed, though all this happened, was any action taken against the police officer who did all this, and who over and above that refused to obey the orders of the Deputy Commissioner and Superintendent of Police? No action was taken against him. On the

other hand when the relatives of the youngman launched a case against the Sub-Inspector, pressure was brought to bear upon the relatives by that sub-inspector and other police officers that the case should be compromised.

Let us now move on to the third case. Here, Sir, I shall tell you of a lambardar of a village in the Nankana Tahsil. This lambardar, whose name I might mention was Bulaqa Singh, was a police witness in a case under section 401. But this man failed to repeat in court his master's voice, and blurted out truthfully whatever he knew of the case. The result was that the accused was acquitted, and as it so happened the acquitting Magistrate did so on the evidence of a lambardar. You can imagine what followed. The Sub-Inspector was infuriated and he reported against the lambardar that he was an associate of thieves and he received stolen property, and that his sons harboured evil characters. The lambardar was suspended. And though the poor man had got many commendation certificates in support of his contention that the allegations made against him were not true, nobody listened to him and thus he was dragged on account of his speaking the truth. Although he was re-instated yet no action was taken against the police officer in question. Sir, the public is not safe at the hands of these police officials. They are very much encouraged by such instances, and they commit all sorts of outrages. When they challan a man and the case gets out of their hands they try some other means to get conviction, and there is no dearth of magistrates who convict people simply because the police challaned them. These magistrates think that it would be hard with them if they acquit any police case. Thus the police officers say to the accused that either pay down handsomely or you will be challaned to the Court of such and such a magistrate. Instructions, Sir, should be issued to the magistrates that the number of convictions forms no factor in their promotion. I will proceed, Sir, now to make a few definite suggestions. We were told yesterday, that reports are not generally entered. Instructions should be issued on the score that strict action would be taken against officials who refuse to enter reports, as they are received making it clear that increase of cases in a thana will not be considered as a fact against the sub-inspector. Government should also distribute posters in the villages announcing such measures. Government has already tried such a thing in the case of prohibition and detection of illicit distillation. It can as well try it here. They should publish it far and wide that Government shall take strict steps against those police officials who do not enter reports. They should also make it a rule that officers should fix some time to listen to oral complaints. They should put up small boxes at their bungalows where people should be allowed to put their complaints at all hours. All these things will create some fear in the minds of the police officers, and will act as a check to their highhandedness. Then, Sir, when a report is made it is written on the register that a copy has been supplied to the complainant while no such copy is supplied. I submit, Sir, that a separate regular register should be opened where the complainants should sign in token of their having received the copy. Then, Sir, the police officers generally meet every month in a conference and discuss police affairs, and everybody recapitulates his own achievements. Instructions should also be issued that the conference should also go into the question of corruption.

Now, I come to an institution in the villages known as *dharat*. This corresponds to the common fund that exists in the *thanas*. Common expenses which a village has to bear on the visits of officers are met out

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of this fund. Now a surprise checking of this *dharat* will tell the Government what amount is spent by a particular village on the reception of an officer. I, therefore, propose that instruction should issue to the Deputy Commissioners that they should try to get access to the *dharat* accounts in order to know if any money was spent on the reception of an officer. The people should also be told that they should spend no money on the arrival and reception of an officer. I do not mean that the officers on tour should be supplied with no necessaries. But they should be supplied on payment only. Then, Sir, the magistrates should be told that their promotions do not depend upon the number of people they convict. They should try to decide cases simply on their merits. It has also been suggested that the salaries should be increased. There is no doubt that their salaries are not commensurate with their powers and they should be increased. For, if they are increased we shall have to pay nothing more than what we already pay in the form of bribes. The pay specially of the constables and the lower ranks should be increased, and they should be recruited from the zamindar class. I believe, if you do that as an experiment, they will prove more honest. Then, Sir, the honourable member for Lahore said something about the roughness of the police officials. I have also something to say on this point. I remember when I was a student in the Khalsa College we used to go to Phillaur for hockey matches. I remember that where our principal Mr M. G. V. Cole used to address by saying please this side, these police recruits were addressed very filthily. We inquired who were these men who were so badly treated, and we were told that they were candidates for sub-inspectors or Inspectorships of police and they were treated still worse. I do not know if matters have improved since then.

Then, Sir, it has been said that we offer destructive criticism. Sir, we only want a better police force. We do not want to create difficulties for the Government. I know that they fight the dacoits and often at great personal risk, and I am prepared to subscribe to any fund that may be raised to reward such officials, but we should not be considered to be offering mere destructive criticism. Some of you responsible officers should go and enquire if the recruits are not badly treated. Now there is a Punjabi proverb which says that a Jat who is abused outside comes home and abuses his own wife in turn. Then, Sir, there is a thing which Government has tried successfully in another department and they should try it in this as well. That is about informants. You have tried this in the detection of illicit distillation. You try it here as well. I am sure very good results will be obtained. These informants should be openly rewarded in *durbars* for good work done. We tried this at Nankana Sahib during a fair and obtained very good results. The Government even, though they were beating Akalis at Guru-ka-Bagh appreciated the good police arrangements we had made. We appointed a few men in plain clothes who were not dressed as Akalis to watch the activities of badmashes. The result was that we succeeded in recovering 200 bundles which the thieves had stolen. In one case we caught a person who admitted having stolen two bundles, but he said that these were with his wife who had gone ahead of him to the station of Buchiana. We asked him to make promise in the name of Guru Nanak Sahib that he will return those two bundles intact and let him off to bring them back. And lo, he was back next morning with the two bundles. That is how this system works. The

Government should also apply this. Then I come to the question of personal search and when they search the accused they do not generally make a correct inventory of the articles found on the person of the accused. And it happens very often that cash is never returned to the accused when he is let off. I remember a case in which an accused had Rs. 90 on his person when he was arrested. But when he was acquitted, the money was not returned to him. Thus, Sir, such things are never entered in the list prepared of the articles found on the person of the accused. I suggest that the Court Inspectors and the magistrates should be instructed to enquire from the accused what things were on his person when he was arrested so that they may not be cheated of their money. This little inquiry by the court inspectors and the magistrates will minimise to a very great extent the chances of this complaint.

Now, Sir, I shall take this opportunity of assuring the Government that we do not want to criticise the various departments in order to embarrass the Government. We criticise this department in particular because this is a very essential department, essential for the public as well as the Government. And where it ought to have been a boon to the people it is becoming a veritable curse. Look at the co-operative department. How useful it is, but we have never complained against the working of that department. The officers and the clerks of the department are all very sympathetic and courteous. I want the police to take a leaf out of their book and improve their own behaviour as well. I hope the Government will see to it. With these words I resume my seat.

The Honourable Sir John Maynard (Finance Member): Sir, I am afraid it is possible that I might be prevented from speaking at all as happened on a previous occasion recently and therefore I rise at this stage to say what I have to say. It was reserved for a gentleman who spoke rather late in the debate to suggest that this evil of corruption in the police force is actually instigated and supported by the Government. I am not quite sure whether he seriously meant what he said, but as he has said it, it is a matter to which I shall have to devote some little attention. It is of course the kind of suspicion which takes root in the minds of a certain class of people which, owing to the simplicity or roughness of their antecedents are readily able to suspect the worst of others. But I think that reasonable men are not very likely to regard this as a probable charge. If there is one thing that is more certain than another it is this, that the reputation of Government, its political strength and all that the Government desires most to establish is weakened by the existence of corruption among its servants (hear, hear). That, Sir, is a matter of which every officer of Government is fully aware. If then it is Government which loses by the corruption of its servants and the enemies of Government who gain by that corruption, inasmuch as Government is thereby weakened, is it not far more probable that the enemies of Government are those who encourage corruption than that Government itself should do so? I leave that for the consideration of honourable members of this House.

The honourable member who made this charge did refer to three cases in support of this suggestion. The cases were of the Sheikhupura district. In one instance the statement was quite clear and definite but in the other two instances it was not equally clear and definite and therefore I have some

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difficulty in dealing with them. In regard to the first instance, what he said was this, if I understood him aright, that a particular police officer was charged with corruption, that he thereupon under the orders of Government brought proceedings, either a civil suit or prosecution for defamation against the person who had made the statement and the Government then proceeded to give him the assistance of the public prosecutor or of some legal officer of Government in order to support his cases. Now, Sir, this is a matter upon which I have had occasion to speak to this House before. It has previously been represented that the practice of calling upon officers to sue their defamers for defamation and the practice of giving legal assistance to such officers in bringing such suits is a wrong one. I defend it. In the first place because there is only one method of obtaining a judicial investigation.

Sardar Buta Singh: It was a bribery case and not a defamation case.

The Honourable Sir John Maynard: I regret that I misunderstood what the honourable member said. I understand then that his case was this that the public prosecutor defended a sub-inspector in a case which was brought against him by a private person. Is that so? I understand that is what the honourable member said, that in a private case the public prosecutor was employed to defend the sub-inspector in question.

S. P. M.

Sardar Buta Singh: What I meant to say was that the public prosecutor was employed not by the sub-inspector himself but through the intervention and on the orders of the District Magistrate. The sub-inspector did not employ him himself.

The Honourable Sir John Maynard: Sir, the case is not quite as I understood it, but even as it is, I am prepared to justify the proceedings. It is a principle of justice, and it is a principle particularly of British justice that we assume a man to be innocent until he is proved guilty and when we are satisfied that there are good reasons for doubting his guilt, if he is a public servant we are prepared to enable him to defend himself and clear himself in the courts. If after the proceedings have been taken and the courts have decided, it should appear that the action of the public servant in question was wrong or that he acted contrary to regulations, then the Government takes suitable action against him.

In the other case which was referred to, I confess I found a little difficult to follow the honourable member. It seemed to me that in one case it was suggested that there were charges of police torture against particular persons. It was said that the police maltreated some persons and in consequence one accused drowned himself. It is impossible for me to say off hand precisely what happened in a case of this kind. If the honourable member will give me particulars of that case I should be very glad to institute an enquiry into it. In any case the statement made does not appear to me to suggest or to support that very extraordinary charge which the honourable member made against the Government of desiring to instigate its servants to be corrupt. The same thing applies to the other case which he referred in which security proceedings were taken by a sub-inspector at the instigation of an inspector and a particular lambardar was suspended. In that case also I can give the honourable member my assurance that if he will give such particulars as will enable me to trace the case, I shall be very glad to make an enquiry into the circumstances.

I come now to what is the next most serious charge which has been made in the course of this debate. One honourable member, I think the mover of this reduction himself said, that some Superintendents of Police are guilty of corruption. I think what he actually said was that a substantial number, though not the majority, were corrupt. A great many members of this House, and I think probably the honourable mover of this reduction himself, are lawyers and if they were to find in the course of their professional work a charge of this vague character being levelled against any person without any opportunity of replying, because of the vagueness of the charge, I think probably their trained instincts would revolt against the unfairness of such a procedure. I can only say that in such a case as this I invite specific statements as to the Superintendents of Police or other officers of high standing who are guilty of corruption. In the meanwhile, until such specific statements are given, I, on behalf of Government, repudiate the charge as an unfair and unreasonable one. (Cheers.)

It was also said, Sir, that the practice of receiving *dalies* or presents of various kinds including, as the honourable member said, bottled and tinned goods and so forth, have been revived and that these *dalies* are actually paid for out of the dishonest fund which had been created in the police stations. I am not sure whether everybody knows what the position of Government in regard to *dalies* is. They were prohibited by Sir Michael O'Dwyer when he was the Lieutenant-Governor of the province. His prohibition extended so far as to prohibit the acceptance of flowers and fruits. Somebody has apparently misread the instructions which were subsequently issued and an impression got abroad that *dalies* for Government servants are no longer prohibited. I desire to take this opportunity of making it quite plain to the House and to all such of the public as will do me the kindness of reading the report of my speech that the acceptance of *dalies* in any form is still prohibited by the orders of Government (hear, hear). If any one will draw my attention to any case in which those orders are not obeyed then I shall most certainly see that proper disciplinary action is taken against those who violate them. Let that be thoroughly understood.

As to this corrupt police fund about which the honourable member spoke, if he will do anything to put the Inspector-General of Police or myself upon the track of any such corrupt fund, we shall rejoice in the opportunity of breaking it up and punish those who are responsible for having collected it.

I think I heard from another speaker a statement that certain police officers do not pay for their supplies in camp. If that is so, then it is a breach of orders of the Government. Let my attention or the attention of the Inspector-General of Police be drawn to any case in which an officer omits to pay for supplies in camp. I shall, as I said before, immediately take disciplinary action against him. It is in order to put an end to that abuse that Government has taken steps which many members of this House are aware of, of establishing contractors whose business it is to furnish supplies.

Now I come to what seemed to me to be perhaps the strangest of those bat-like suspicions which fly in the dusk of some persons' minds. It was said that the police deliberately create trouble over communal questions, that they deliberately get people to fight together for some purpose of their own. Now, here again I shall apply the test which I applied when I was discussing

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that charge against Government itself with which I began. Who stands to gain and who stands to lose by these communal differences? Everyone who has had anything to do with work in the district knows that every communal dispute is something which is very likely to bring the local officers into difficulties and dangers. Every one seeks to avoid them by every possible method, if not for any higher reason at least for this reason that he is almost certain to get into trouble if anything of that kind occurs in his district. Is it reasonable that the police officers who themselves are extremely likely to get into trouble if anything like a riot occurs, because of the hundred ways in which people may make mistakes, is it likely that those officers will go out of the way to create trouble for themselves? I believe every reasonable man will say "No". Not only are they extremely likely to get into trouble if any riot or other serious friction of that kind occurs, but it is notorious that communal differences or troubles arising out of personal quarrels make it extremely difficult for an investigating officer to investigate an offence properly. Our police officers constantly fail simply because some communal difference is dragged across the trail in the course of the investigation.

While talking of general charges there is one another general charge which I wish to speak about. It is said that there is a sort of tradition in the police force of being very rough with their tongues, that they constantly say rough things and perhaps nasty things to everybody and they have a notion that they cannot make people do anything unless they speak to them roughly. I want you all to remember that many of the police are rustics whose manners in their ordinary lives are somewhat rough. Have we not sometimes passed along the road and heard the man driving his bullocks or the tongawallah driving his pony say to his animal, something which I cannot allow to pass my lips because it would be probably obscene. Now, seeing that it is a common practice of the country-side and indeed of townsmen too to use this very strong and obscene language in dealing with animals when they want to encourage them to effort, there is nothing very surprising if they extend similar language to human beings.

The habit is a nasty, coarse and uncivilised one, but surely this is human nature, uncivilised human nature. I do not want to be supposed to mean that this is never done by people in urban areas, because I have seen tongawallahs as bad with their horses as the bullock driver is with his bullock. We want the habit of using such language to human beings to be altered, but any one who says that Government can in a day or in a month or in a year or in a generation extirpate a course uncivilised habit of that kind is imagining Government to be quite omnipotent.

Now, I turn with some pleasure from the general charges to specific suggestions. Here I must say again what I have said on former occasions that I am grateful for specific suggestions. It is not everybody that made them. In fact one gentleman began to speak at twenty minutes to five and finished his speech at six, and in all these eighty minutes of eloquence I was not able to extract any specific suggestion which would have occupied him for half a minute. But there were others who were more generous in this matter, and as I have said I thank them for their specific suggestions.

It was rather surprising to me that the committee which is now investigating specific suggestions was hardly once mentioned by any member who spoke. I did hear the committee once mentioned by some one in that

corner of the House who is not generally a particular friend of the police. The committee is sitting and should complete its labours sometime in the middle of May. It is considering a very large number of specific suggestions which were made last year in a similar debate in this House on the police force. I shall now have pleasure in passing on to that committee a good many of the specific suggestions which were made yesterday and will I presume be also made to-day (hear, hear). But there are one or two of these suggestions which I cannot profitably pass on. One honourable gentleman said that we ought to have elected lambardars. There are probably a good many lambardars who are present and they must be familiar with the enquiries which go on when there is any question as to whether a particular person should be appointed a lambardar or not and they must also be familiar with the fact that a lambardar is a hereditary officer and that he is entitled to succeed to his office and it is only when there is something very much against him that it is possible to pass him over. For that reason I feel rather doubtful whether it is advisable so far to upset our rural economy as to institute a system of election of lambardars. I am also bound to remember, I come across them in my own personal experience, that there are such things as criminal villages. In fact there are such things as criminal tracts and I am not quite sure what sort of thief-catcher would be elected by a criminal village or by the residents of a criminal tract. Therefore this is a matter to which I cannot promise to pay very much attention. One honourable member said that it was a mistake for Government not to encourage private detectives. When this was suggested it came to my mind that there was a very ancient institution in this country of private detectives. I have been familiar with it from my very early days when I first came as Assistant Commissioner and joined in the Amlala district and when the police officers there first initiated me into certain mysteries regarding the habits of certain portions of the population. These mysteries were associated with the words *bhunga* and *rastagiri*. There is, if I mistake not, a very elaborate system of private detectives, a system by which it is possible for the people who have lost their cattle to refer to certain well known persons, paying them a certain sum of money and then an enquiry is instituted by these private detectives and sometimes in fact the cattle may be restored, but there is always a very substantial payment to be made. Unfortunately those private detectives are themselves hand-in-glove, I believe, with the thieves and the reason why they are so successful as private detectives is that they themselves share in the booty and are therefore the best persons possible to give information regarding its recovery. In fact we have a very harsh way of translating this particular expression *bhunga* and we call it blackmail.

There is another specific suggestion which has been put forward, not for the first time and I am anxious to explain the position of Government in regard to it to the Council. It was said that we do not encourage the formation of district corruption committees. The subject of district corruption committees has been very carefully considered in connection with the report of the committee over which my honourable friend Mr. King presided two or three years ago, and Government then decided that it did not think that this institution would be a useful one. One reason for this is that it rather shuts out that idea which it is the object of Government to encourage in all its officers, the idea that the officer should be directly accessible to all people who wish to speak to him whether they wish to make complaints or whether they wish merely to inform him of what is going on in the district. It is the desire of

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Government—and I personally believe that in this really lies a large part of the secret for the prevention of corruption—it is the desire of Government that its officers, including its police officers, should be directly accessible to all, that they should have their ears open, but it is not meant that they should have what is called the *kacha kam* and be ready to believe in everything that everybody says. That is quite another matter. They should have their ears open to anybody, and it should not be the privilege of the members of a particular committee to lay facts before the officer, but all men should have an opportunity of saying what they want to say and a chance of being listened to (hear, hear). Now, the establishment of a district corruption committee appears to run the risk of confining this right of access to a member of a small clique, and who can say in this somewhat unsatisfactory world that when you have established a committee of that kind that some of its members will not abuse their influence or their reputation for influence with the authorities?

One honourable member said that he would like to see our police officers better trained. But I listened in vain for an explanation of what that better training should be. I trust that honourable members, who obviously have this matter at heart as I have it most deeply at heart, will give their best attention to this matter and if they are capable at any time of suggesting improvements in the training will communicate their ideas to me.

The object with which this debate was inaugurated according, to the note put on record by the honourable mover, was to suggest improvements in the police department and he then proceeded to demonstrate that it is the Government and the Government only which is responsible for all the evils. Well, Sir, I feel that we shall never get to the bottom of this evil, we shall never make our police or any other department what we desire it to be if we confine ourselves to handying charges about; that will not carry us one inch further in the solution of the problem. Let us be honest, let us be reasonable and let us admit, as I admit that it is partly the Government and partly the people (hear, hear) who are responsible. What is it that we can do? The Government and the people acting together, as I hope they will act in this matter, should see what they can do to put, what is wrong, right. Let us look at it and see what the duties of each are. One honourable member has spoken on the quality of the raw material. I am not going into that question. I am not going to ask who is responsible for the raw material, but it is plain that we have a people from whom we draw our officials. They have their virtues, they have their weaknesses, and some of the virtues and some of the weaknesses which are in the people themselves must inevitably repeat themselves in the officials whom we select. But the raw material being given to us, what is it that the Government and the people or their representatives can do to improve it? Plainly the Government itself is responsible for adequate pay and proper organisation. These are matters which receive the closest and the most unremitting attention from the Government itself. Time after time commissions of enquiry have been appointed which have investigated these questions but we never reached finality. In this world, you never reach finality as you never reach perfection. You must always go on struggling. There will never be an end to the need of effort and we must continue to make it if we are to arrive somewhat nearer to the goal. We shall continue to investigate as we are now investigating the best methods in regard to pay and organisation which may contribute to improve our force.

Next, it is the duty—I have spoken of it before this afternoon and I speak of it again because to me it is half or more than half of the whole secret—it is the duty of the officers of Government to keep their ears open, to make themselves accessible to information from all sources, to weigh that information, not to accept it blindly, but to weigh it and then to take action upon it. I believe, I firmly believe, that the best method of stopping corruption is for the officers of Government to be so known for their accessibility and readiness to listen to any reasonable representation, that corrupt people will be afraid of following their instinct of corruption. That is the main way in which it is possible for Government officers to stop corruption. I am not going to pretend, I do not pretend that we have achieved that degree of accessibility which is desired and that is one of the things which we must impress upon all our officers, this great duty of accessibility to all reasonable complaints and to all reasonable representations.

Then there is the duty of giving preference to those who are honest. Of course we must first make quite sure that we know who are honest and then we must give them preference. On that point, the greatest difficulty has always been particularly in the lower ranks where we do not always know who is honest. We may get people who acquire by one method or another a reputation for integrity but who are not really guiltless in that respect and it is the duty of Government and of its officers to set that idea before them, that is to give preference to those who are honest or rather, as I would put it, of excluding from promotion those who are not honest.

Reference was made by one speaker to a certain circular issued in the Jullundur district by the Superintendent of Police in which he said that no promotions will be given to those who are not honest and it was said that Government had neglected that example and had not extended a similar principle to all districts. That, Sir, is an error. As a matter of fact, circulars, similar to the Jullundur circular, have issued in other districts also. Not only that. I can assure the House from my own personal knowledge of the action taken by the Inspector-General of Police that in making the selection for certain appointments, of course it is true they were appointments of a higher kind, in making the selection for those appointments, the Inspector-General of Police took very special care personally to investigate the character of all those whom it was proposed to promote and that he passed over all those who, as a result of those enquiries, appeared to him to be corrupt officials. Then, there is another duty and that is the duty, having discovered corruption, to punish it. This is a matter in which the present Inspector-General has shown remarkable energy and determination. But let us be on our guard against the danger of treating people as corrupt before we are satisfied that they really are so. Can we imagine any result more terrible than that which would follow if a man, who was really keeping his head above this morass of corruption but who had by some accident fallen under suspicion were to be condemned and punished as being one of the guilty? When honourable members think how disheartening such a discouragement of integrity would be, they would surely agree with me that a great care in investigation is absolutely essential. We have done what we can to conviction and punishment of the guilty more possible. We have, for instance, gone so far as to introduce the principle that when a man is found to have a series of entries in his character roll recording a reputation for corruption, then without enquiry into specific cases

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he is liable to be brought before a commission and tried and punished on the mere ground that he has a continuous reputation for corruption. Under these orders, the present Inspector General of Police has shown an extraordinary vigour and determination in the pursuit and punishment of these criminals and something like one hundred police officers have been punished (Hear, hear.

Now I have been going through all the various things which the Government can do. Let me come to what the people can do. Let the people and the representatives of the people fearlessly give us information of specific cases in which corruption has occurred. They are not afraid to stand up and tell Government all its faults. Can it be possible that they are afraid of bringing charges against subordinate police officers? It seems hardly believeable that the same gentleman who stands up in this Council and denounces the Government and all its ways and charges the Government for being responsible for all the evils, that he is not brave enough to tackle some police officer who has misbehaved himself. Let us all assure him that if he will give us specific information upon which we can base .....

Professor Ruchi Ram Sahni: I did, Sir, and nothing was done.

The Honourable Sir John Maynard: The honourable gentleman says that nothing was done. I had noted his complaints as he made them and I noted amongst other things that he seems to have boggled about giving his evidence. If an honourable member goes to a police officer and makes a statement and then says: why do you ask me to give evidence? the Police officer is extremely likely to regard him as a person who is not really willing to give assistance in the matter.

I come now to yet another matter in which it is possible for the public to help us. I have said it before but some gentlemen have risen and said that it is not possible, but I must say it again that it is possible for people to show social disapproval of those whom they know to be guilty of offence. Again it has been said what are we that we should be so bold as to show social disapproval of officers of standing? Again it is a question of courage. I suppose it does take some courage to show oneself conscientiously indignant with some one whose misdeeds are guilded by wealth, but we may reasonably ask all true well-wishers of their province and their country to help us in this way to show social disapproval of those who are notoriously guilty of corruption.

Now we have had some specific suggestions and some speeches of general denunciation. I think there was only one honourable member who reminded us that there is another side to the case. I am going before I sit down to ask the House to remember a little, something of what it owes to this force which has been so much condemned in the speeches which honourable members have made. It has been brought home to me very markedly by something which I read quite recently about the former condition of a part of what is now the city or rather the suburbs of Lahore. Shortly after the British arrived owing to the fear of dacoits and thieves and so on it was impossible to get people settled in the tract of land round the walled city. Land was perfectly worthless, but that same land is now selling for many thousands of rupees per acre. What is the reason that it sells at such a high price whereas a few years ago it was worth nothing? The reason is simply this. Prosperity depends upon security. It is the security

which has been given which makes prosperity possible and for that security this province largely owes gratitude to this police force which has been so roundly condemned by so many speakers.

I am only now going to give further point to what I have said about the debt of gratitude which we all of us owe to the police force by specifying four particular cases in which the officers of that department have quite recently sacrificed their lives or gone very near to sacrificing their lives. Here is one. Sub-Inspector Muhammad Azam of the Jalalpur Police Station of the Jhelum District, who had started on seven days' leave in May 1925, was informed at Malakwal railway station, while on his way from Sargodha to Gujrat, that a murder had been committed at Bhaganwala village in the jurisdiction of his police station. He returned at once to Jalalpur and early next morning proceeded to the village, where a virulent epidemic of cholera was raging. While conducting the investigation he contracted cholera and died a few days later.

Another Head Constable Ghulam Husain of the Ferozepore District received information on the 11th November 1925, that Gurdit Singh, who belonged to a formidable gang which was terrorising the countryside on the borders of the Ferozepore District and the neighbouring Indian States, was concealed in a house in Kaneke Dhab village. He proceeded immediately to the spot with two police constables and a few villagers and surrounded the house. He climbed on to the roof and called upon Gurdit Singh to surrender but the latter refused to do so. While attempting to drive the dacoit out of his hiding place, Ghulam Husain was shot and fatally wounded. The prompt and plucky action of the head constable which resulted in the capture of this desperate outlaw, who was wanted for a series of murders, dacoities and robberies, is beyond all praise.

Now one more Sub-Inspector Balwant Singh, Station House Officer of Mamdot Police Station, with foot constable Nur Din, was investigating a case on the morning of the 7th February 1924 when four men riding on three horses passed them. Balwant Singh asked the horsemen who they were, whereupon they galloped off. Balwant Singh, considering this behaviour to be very suspicious, gave chase accompanied by Nur Din. After riding about 40 miles, Balwant Singh and his companion overtook the suspects. The suspects got off their horses and attacked them with bludgeons and partially stunned them, and seizing Nur Din's gun shot them both. The suspects were subsequently found to belong to a gang of notorious dacoits and murderers, who were apprehended several months later and are now being tried on a number of serious charges. Nur Din succumbed to his injuries; but Balwant Singh eventually recovered. Balwant Singh, who at the time had only five years' service showed a very high sense of duty in taking immediate action when his suspicions were aroused, and by his persistent pursuit for a distance of over forty miles, although accompanied by one constable only, he displayed conspicuous gallantry and devotion to duty.

And yet a fourth. A serious dacoity with murder was committed in Kotli village, Mughalpura Police Station, Lahore district, in 1923 by a gang of dacoits headed by one Fauja Singh of the Sialkot district, who was also wanted in other cases of dacoity with murder. Information was received one day a few months later that Fauja Singh was in the Padhana village bazaar. Head constable Wasti Ram, of the village police post, was deputed

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to arrest him. In company with the informer and two foot constables, head constable Wasti Ram proceeded to the bazar and on a pre-arranged signal tackled Fauja Singh single handed from behind. Fauja Singh struggled and freeing his arms, drew his revolver and fired over his shoulder at head constable Wasti Ram. The bullet just missed the head of Wasti Ram, but went through his turban. Wasti Ram, however, hung on to Fauja Singh and with the assistance of the informer and the two foot constables who followed up, finally overpowered and arrested him.

Now, Sir, is it too much to ask that honourable members of this House while bestowing proper criticism on the police force, will yet remember that they owe a debt of gratitude to the men who not infrequently give their lives for the sake of the peace and order of this province? It is perhaps the greatest test of capacity for rule that men should be capable of doing justice to their servants (applause).

The Honourable Rai Sahib Chaudhri Chhotu Ram: Sir, I beg to move:

"That the question be now put."

The motion was carried.

Chaudhri Afzal Haq [Hoshiarpur-*cum*-Ludhiana, Rural,] (Urdu): Sir although I feel a bit weak on account of keeping fast and I do not feel myself quite capable of making a speech yet the discussion has drifted to such a pass that it would be unwise on my part to keep silent at this stage. Sir, I am responsible for bringing to the notice of the House the state of corruption which exists in the Government departments and especially in the police department. I remember the Honourable the Finance Member declared in this House in 1924, that the officers who were corrupt generally belonged to the Indian communities. Sir, I am surprised to see that a responsible Government officer such as the Leader of the House thrice makes this statement and sits down. His words certainly command respect and are often turned into law. He has frequently told us that public is responsible for this state of affairs and it is because of his speech and expression of sentiments that Government officers have become more corrupt and they are emboldened to say that the responsibility lies on the shoulders of the public and that they had no concern whatsoever with this matter. Sir, in 1925 I did not move any amendment or any cut for raising discussion with respect to these matters but I remember that I respectfully made some suggestions as to the investigation of the state of corruption and malversation. An enquiry committee has been appointed for which I am thankful but I wish to point out that this committee will serve no purpose. We should lay axe at the very root of the evil which is so rife in the police department. There is no use of enhancing staff and their remuneration, etc.

Yesterday, Sir, I quoted some instances which were culled from Government's own versions and thank God that Government has itself admitted that its officers also are equally responsible for this state of corruption which exists in the province. We desire to have a thorough investigation into these matters but Government does not pay proper regard to our suggestions and proposals simply because there is no political body at our back. Besides this the present system is so bad that it is hardly likely that any good could be accrued from any sort of enquiry. But if higher and

responsible officers were anxious to do something in this direction and were prepared to pay proper heed to the complaints of people I would have admitted that public is also responsible for corruption. But I am sorry to confess that this is not the case. Government officers do not care a rap for the public good. With your permission, Sir, I beg to ask when even in this House our suggestions are not fairly treated where we have got opportunities to give expression to our feelings and sentiments how can we expect that outside the Council somebody would kindly hear our requests and cravings? So, Sir, in my opinion public is not in any way responsible for this state of affairs. Had such instructions been issued to the police officers, as the Honourable Sir John Maynard has told us to-day, that they should keep their ears and eyes open, I think much benefit would have been obtained and if Government issues instructions of the kind mentioned by the Honourable the Finance Member and those instructions are acted upon, I shall be happy to declare in the next Council, if I am elected a member of this Council, that our Government has done well in putting a stop to this evil.

Sir, it has been very strongly urged that where there is a raw material one cannot get good stuff out of it. In this connection I will respectfully ask, while in the case of Government officers who take bribe Government is not prepared to shoulder the responsibility, how can my friends be justified in saying that the inhabitants of this country are not morally advanced people? Sir, I wish to say that they are not given the proper sort of education which is calculated to raise the moral tone. These expressions that people are morally backward go a long way in creating the impression that corruption exists simply because people do not want to stop it. This is utterly incorrect. I wish Government had told us in 1924 that only the public was responsible for these matters and in that case I should not have moved this motion. Now, Sir, I have studied the situation for the last two years and I have heard officers say that all these maltreatments and malversations are the outcome of the backwardness of the people and that they have had no connection whatsover. I am at a loss to understand why Government puts these words into the mouths of its corrupt officers. In other words they are being shielded by Government. So, it is clear that this argument is quite flimsy and Government ought not to have advanced such a ridiculous argument.

Besides this, Sir, Government always wants that some specific instances should be quoted. I am rather surprised to see that having such a huge administration Government is unable to find out where corruption lies. In fact, if I am allowed to say so, Government encourages mal-administration, otherwise it would have easily got hold of corrupt officers. Government should believe us. We do not put blame upon innocent officers, but we declare that there are corrupt officers in the departments of Government and especially in the police and that this evil should be extirpated. Yesterday when I stated that a certain percentage of officers were corrupt the honourable Mr. Dunnett objected and remarked that percentage could be fixed at a small figure. This shows that he did not challenge my statement that there were corrupt officers. I admit, Sir, that that percentage may not be quite correct but I can undoubtedly say that corruption in its most virulent form does exist in the police department.

Mr. J. M. Dunnett: I rise to a word of personal explanation. Sir, words are put into my mouth which I never used. I said it was not worth the while to fight about figures as different opinions may be held about them. I never admitted any big figure or small figure.

Chaudhri Afzal Haq (continued in Urdu): Sir, I think I heard him say so, but as he says that these words were not used by him, I am ready to admit that my faculty of hearing was wrong when I listened to his speech. Anyhow Government agrees to the principal thing when it says that some specific instances must be quoted. Can the Government say, Sir, that a large number of its officers are free from corruption? Can it claim that there is not a single officer who is corrupt? I daresay Government cannot claim that its officers are free from malversation. What I beg to point out is that Government has admitted that corruption does exist in its departments but it shifts the responsibility on us to give specific instances. Sir, in view of the fact that Government has got a huge machinery of administration upon which crores of rupees are spent annually, is it justifiable to ask us to supply specific instances? This is not worthy of any responsible Government in the world. Government should, as I have said before, investigate into these matters. I may say that once Government was a bit earnest in eradicating this evil in the time of Sir Michael O'Dwyer and a good many number of magistrates and other corrupt officers were prosecuted and there was a lull in the atmosphere but later on when political situation was changed several cases were withdrawn and the strictest Lieutenant-Governor was obliged to let the matters proceed in usual manner.

The Honourable Sir John Maynard: If the honourable member drops his voice I cannot hear what he says. May I know what he said?

Chaudhri Afzal Haq (continued in Urdu): Sir, I was saying that the responsibility of finding out specific instances lies with the Government which spends as many as fourteen crores of rupees on its huge and magnificent machinery of administration. Government must follow the example of Sir Michael O'Dwyer in whose time drastic measures were taken and nearly all the cases were proved. Nobody gave any specific instances to him. In reality he was one of the strictest disciplinarians. Although I do not like his political views yet I admire his keenness with which he dealt with this evil of corruption. I am unable to understand why those measures which were used by him are not adopted just now. I do not possess any information with respect to those cases but I am sure Government started enquiries of its own accord and nobody ever came forward to supply specific instances. I think, Sir, that when Sir Michael O'Dwyer's Government can take measures to eradicate this evil there is no reason why Sir Malcolm Hailey's Government should not adopt such measures while the matters stand on the same footing as was in those days. Does Government say that police officers, magistrates and other officers are free from corruption? If not, may I know in how many cases prosecutions were launched and with what result? It is true that Government prepares a list of those officers against whom it takes action and that list is sent also to certain honourable members but I am sorry to see that that list contains the names of only six or seven officers who were proceeded against. Two sub-inspectors were suspended, two were reduced and probably two were dismissed. Sir, in view of the big establishment of police this number is very small. It does not constitute even 5 per

cent." corrupt officers. It is very easy to make a statement. Government can make these statements in any way it likes but it is evidently clear that

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Government treats this important and all-embracing question with indifference. It is the duty of the State to feel the responsibilities which devolve upon it. It has been admitted at least that this evil does exist and it is only the amount to which Government does not agree. Moreover, Sir, I have frequently drawn the attention of the Government to the fact that superior officers are also involved in this evil. Apart from this they connive at the misdoings of their subordinates because they themselves are in the habit of extorting money, etc. The procedure of investigation of crimes has been to a large extent the wrongful and unlawful monetary gain. If these suggestions which have been put forward by so many members of the House are not sufficient to convince the Government, does it expect me to give in a written statement? Government has done nothing so far, what is the use of giving out a written statement? If Government suspects our honesty there is no remedy to suggest and if it agrees to take drastic steps I am ready to give out the names of those officers who are corrupt. I can read out their names in this Council provided the Government is prepared to prosecute them. I am taking a great responsibility upon myself. Government should come forward and improve the situation. And if Government desires to effect improvement it should appoint a committee of the non-official members of this House on the lines I suggest. If Government agrees to this proposal I shall admit that Government is prepared to do something in this direction. Sir, I remember the names of those officers who are corrupt as far as my knowledge goes, but what is the use of exposing one or two persons. Besides this if I read out their names in the House it would be tantamount to making Government alert for the defence of their officers. It is not fit for Government to make such a challenge. I wish the state of affairs had not reached such a low ebb. We are always careful to avoid expenditure in making out such challenges but Government is offering us a challenge and in fact it does so every day. I may say, Sir, that if Government means anything real it should choose a department for the purposes of enquiry and also appoint a committee with my consultation and should issue a notification to the effect that all complaints and petitions be referred to that committee. This is the way for the Government to work. It should come forward and appoint such a committee and I shall be happy to collaborate with it. I am not going to show any weakness at this stage. I have been making protests in regard to these matters for the last two years and I do not think it wise to sit down and keep silent in the face of such a challenge. I am prepared to accept the challenge in the way I have suggested.

Then, Sir, one of my honourable friends, who is a nominated member of this Council, has remarked something about raw material. I have already made a reference to the responsibility of the Government in this respect. The people of this country are naturally weak but you should not despise them. All the Heavenly Scriptures say that man should not be despised. In Bible it is written that "Man is created after the image of God." Islam also subscribes to this doctrine. Human-beings are generally endowed with strong common sense and good understanding and it is owing to the sort of education which is provided for in this country that the people are in a way backward.

[Ch. Afzal Haq.]

Now, Sir, the Honourable Finance Member has remarked that it is not creditable for Government that its officers are corrupt because that thing is injurious to the very foundation of the Government. I also admit this and for this reason I draw the attention of Government to the fact that its departments have become notorious for corruption and malversation and that no civilised Government can tolerate such state of affairs. I admit, Sir, that you cannot improve the whole lot but you can very well add to the number of good and honest people. Had there been only five per cent. corrupt officers I would not have raised any objection but this is not the case. There is a fairly large number of officers who are indulging in corruption. It has been said that by levelling criticism against the police department we are enhancing the number of corrupt officers. This is not correct. We have always declared and stated in clearer terms that Government should encourage honesty. As things are, no premium is placed on honesty nor dishonesty condemned. Higher officers have a way of encouraging dishonesty by not taking action against more or less dishonest subordinates. Government should issue directions to the higher officers as to what they should do in cases of corruption. As long as Government does not encourage honest people no improvement can be hoped for.

So far, Sir, I have dealt with the points raised by the Honourable the Finance Member and now I would like to refer to the speech of the Chief Secretary. He said that Government is not responsible for these matters and that it cannot be held responsible politically or historically or geographically. I wonder how he had had the audacity of putting forward a statement obviously without any strong argument. He has made a mention of social life. Now, Sir, the social life depends very much on the nature and quality of education which is imparted under the present administration. The fault does not lie with people, it lies with the State. Mr. Dunnett also referred to the village system. Sir, in old times the village headmen used to be the real representatives and protectors of the people in the real sense of the word. The present system was never acted upon in those days. Now-a-days all orders and instructions are issued from the Central Government to formulate a policy but in those days these village units served as the main sources of information which helped a lot in framing policies, etc. I would like to tell the Chief Secretary that he has erred in holding that the present system was, in fact, in vogue in those good old days. Even now the Bengal Congress wing has taken steps to organise the provincial congress committee and panchayat in such a manner that the central body may become representative of each and every unit. Sir, the Chief Secretary has said that the evil of corruption does not exist only in India but it is also rampant in all other countries of Asia and that this evil has not spread with the advent of the British rule. Sir, I repudiate this charge with as much force as I can command. Probably my honourable friend refers to Turkey and Persia. I admit that in these countries, before the present democratic institutions of Government, there were some higher officers who were indulging in corruption but subordinate servants were not accustomed to take bribery. In this connection, Sir, I may be allowed to say that it was on account of foreign influence and political machinations that higher officers of Turkey and Persia were driven into corruption. All know that sometimes back some great generals of Turkish army took bribes and surrendered. If we carefully go into this matter we will find that there was a host of foreign attachés who were em-

ployed in this propaganda and besides this, foreign elements of civilisation affected the minds of people to a great extent. In my opinion, Sir, this accusation also goes much against the complainant who has put forth this complaint of corruption. Sir, this is called begging the question. How far is it fair for the Government to hurl accusations against other organisations of the country? Is it reasonable to say that as other persons are corrupt therefore it does not matter if Government officers are corrupt? What a curious argument it is! Government officers ought to indulge in corruption simply because the members of other bodies such as Congress and Khilafat are corrupt. This is no argument. If I remember aright it was Mr. Matto, a magistrate who was charged with corruption, who said the offence of which I am charged is daily committed by so many other persons. May I know whether Government acquitted Mr. Matto on the plea that he has pointed out other instances of corrupt officers? I admit that there were also some black sheep in our midst when we worked in the Khilafat and Congress bodies but their number was very small and if Government still insist in the challenge I am prepared to show . . .

The Honourable Sir John Maynard: I do challenge.

Chaudhri Afzal Haq (continued in Urdu): Very well, Sir, let us take the example of M. Abdul Qadir, President of the Khilafat Committee. He has been working for the last 5 years and he has not drawn any pay nor any travelling allowance.

The Honourable Sir John Maynard: Sir, may I make a personal explanation? I thought the honourable member was prepared to mention the names of officers of Government who had taken bribes and then I challenged him to do it. I did not question the virtues of the gentleman.

Chaudhri Afzal Haq (continued in Urdu): Sir, the matter is clear. The honourable member did not grasp fully my meaning and I too did not fully catch the meaning of his words and as a result of this misunderstanding he challenged my statement.

Sir, in the end of his speech Mr. Dunnett stated that the administration of the Government is a huge machinery and that the mover should have pointed out the defects. I am very much thankful to him. He has fully equipped me to say that it is the duty of the engineer to look into the machine and find out where the defect lies. A layman like myself or like Sardar Tara Singh can do no good. Therefore it is clear that responsibility lies on the Government.

Mr. C. A. Barron: On a point of order, Sir. Is the honourable member entitled to start another speech?

Mr. President: No. Does the Government Member wish to reply?

The Honourable Sir John Maynard: I do not wish to say anything further, Sir.

Mr. President: Does the honourable mover wish to withdraw his amendment?

Chaudhri Afzal Haq: Sir, I wish to give my reasons first before I withdraw my amendment.

Mr. President : As a request for withdrawal is not an independent motion, I am unable to allow the honourable member to explain why he wishes to withdraw his motion. If he cares to withdraw he can do so without making any speech. May I take it that the honourable member wants leave to withdraw his motion?

Chaudhri Afzal Haq : Yes, Sir, I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Rana Firoz ud-Din Khan : Sir, I beg to move :—

Rai Bahadur Lala Sewak Ram : Sir, my amendment comes first.

Mr. President : Your motion is out of order. It relates to one item in the demand and as a cut in the total demand has been discussed and disposed of a motion for cut in an item of the demand cannot be moved.

Rai Bahadur Lala Sewak Ram : Sir, it is a specific item—Special Police.....

Mr. President : Order, order. The chair has given its ruling that the motion is out of order. I am referring to the motion which was sent in by the honourable member on the 12th instant and which runs :—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 2,35,200—Special Police."

Rai Bahadur Lala Sewak Ram : Yes, Sir, that is only one item, I have given notice of one item.....

Mr. President : Is that item covered by the total demand of Rs. 97,11,300?

Rai Bahadur Lala Sewak Ram : Yes, Sir.

Mr. President : Then the motion is out of order.

Rana Firoz-ud-Din Khan : Sir, I beg to move.....

The Honourable Sir John Maynard : I understand that this motion is in regard to the police post at Panipat. There is no provision in the Budget for this purpose and therefore I submit the motion is out of order.

Mr. President : Will the honourable member please explain to what item his motion relates?

Rana Firoz-ud-Din Khan : I beg to ask one question from the Finance Member.....

Mr. President : Order, order. The honourable member has been called upon by the chair to explain to which item under demand 12 his motion relates.

Rana Firoz-ud-Din Khan : Punitive police posts which is included under the item "Other Police."

Mr. Miles Irving : No, Sir. That is not the case.

Mr. President : I think the motion* is out of order.

* "That the total grant be reduced by Re 1."

The question is—

"That a sum not exceeding Rs. 97,11,300 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Police."

The motion was carried.

SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS GRANTS.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Education): Sir I beg to move:—

"That a sum not exceeding Rs. 14,87,000 be granted to the Punjab Government (Ministries of Agriculture and Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Scientific and Miscellaneous Departments."

Mr. President: The question is:—

"That a sum not exceeding Rs. 14,87,000 be granted to the Punjab Government (Ministries of Agriculture and Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Scientific and Miscellaneous Departments."

Chaudhri Duli Chand [Karnal (Non-Muhammadan), Rural] (Urdu): Sir, I beg to move:—

"That the grant be reduced by Rs. 100, with respect to the item of Rs. 12,28,500—Consolidated and Development Grants to District Boards."

Sir, as is clear from the note attached to my amendment, the object with which I have moved the amendment is to draw the attention of the Government to certain defects that are at present found in the method of returning votes at the time of elections to the local bodies.

Sir, the method now in vogue is that the first returning officer issues the ballot papers which contain the names of the various candidates competing for election. The second returning officer records their votes. Those who are literate and can read and write for themselves put a mark in the column of the candidate whom they desire to be elected and therefore in their case no difficulty arises. But the illiterate voters depend upon the returning officer who makes entries for them in favour of the candidate who is pointed out by such voters as their favourite. Now it may happen, and I may say, it has happened that a candidate who was sure to be returned because he knew how many voters were voting for him, finds, when the result is declared that he has not been successful. His voters are disappointed and if any of them wants to ascertain whether entries made by the returning officer were rightly made, he cannot do so. The reason why he cannot do so is quite simple. No serial numbers are given to these ballot papers as are given to the ballot papers for election to the Legislatures. This is a serious defect and the presence of it has often resulted in many a quarrel and feud amongst the rival candidates. Under the present circumstances a candidate sitting quietly at home can challenge his rival candidate that the latter is sure to fail although he may have been trying hard to be returned. To make my point more clear I may explain how it is possible for a returning officer to show favour to a particular candidate. Supposing there are two candidates A and B and an illiterate voter comes to record his vote and requests the returning officer to

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make an entry in favour of A. The returning officer might, if he is so minded, make an entry in favour of B instead. There is no check upon him except his own conscience and nobody can detect afterwards if he has made a wrong entry. It is, therefore, highly necessary that some steps should be taken to remove this serious defect.

As to any suggestions that might with advantage be adopted, I would in the first place, request that serial numbers should invariably be given to the ballot papers. That is highly necessary. If that is done, it would become possible to ascertain whether a particular entry was made rightly or wrongly. Then if it is possible the method of distinguishing names by colours should be adopted. If there are four candidates the name of each should be distinguished by a different colour red, blue, black and so on. If it is feasible I think it would be more useful to set apart separate boxes of different colours for different candidates in which the candidates be asked to drop their votes. In the end I might also say that I would be satisfied if any method is adopted provided the defect is cured. If at present it may not be possible to do anything else, I hope the Government will do one thing readily and that is that it will at least give serial numbers to the ballot papers.

With these few words I move my amendment.

Mr. President : Grant under discussion, motion moved:

"That the grant be reduced by Rs. 100 with respect to the item of Rs. 12,28,500—Consolidated and Development Grants to District Boards."

The question is that that motion be adopted.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Education) : Sir, while I repudiate the charge that officers who are in charge of recording votes wilfully misrecord votes I am free to admit that the present arrangements lend themselves to some abuse in this direction if officers were so minded. I will give my careful attention to the observations that have been made by the honourable mover of this amendment with a view to removing the defects that exist.

Chaudhri Duli Chand : In view of the assurance given by the Honourable Minister I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Sardar Jodh Singh (Sikh, Urban) : Sir, I beg to move—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 12,28,500—Consolidated and Development Grants to District Boards."

Sir, I know that in moving this reduction I am entering upon a very delicate topic. But I mean to discuss it as dispassionately as possible. While discussing this motion I want to appeal both to the Government and to the majority communities to see whether the treatment that has been so far accorded or is under comtemplation to be accorded to the important minority in this province is fair and just. I may be permitted to make a few general remarks in the beginning to trace the origin of communal representation. I need not go into the remotest origin. Suffice it to say that it began with Minto-Morley Reforms. Then the Congress-League Pact

at Lucknow put a seal upon it and in the present system of reforms it was recognised in the Government of India Act. I was present at Lucknow by accident when this question was being discussed and at that time the Sikhs had not begun to take part in the Congress and so nobody put forward their point of view. But I have noticed that the reason why this communal representation was resorted to was that the Mussalmans in India wanted that in the coming democracy their rights should be specially protected. When the Commission was appointed by the Government of India to investigate the problem, the Sikhs put their case before that Commission, and they wanted that they should be accorded the same protection in this province which is being accorded to the other minorities in this province. I may mention here that the Sikhs inhabit only this province. Outside the Punjab there are very few Sikhs and while the Muhammadans and the Hindus can take consolation, by gain in some other province, the Sikhs have no such consolation. Nor have they any kingdoms outside India to which they can look for any protection in this matter. If I mistake not, the running note on the report of that Commission was that protection was to be resorted to in the case of minorities alone, that they alone were to be given specially increased representation if it was felt that by ordinary methods they could not achieve it. But as my friend the member for Sheikhupura and Multan Division Sikh Rural Constituency remarked—

Mangi si charahn nun,
Mil gai chukan nun.

(The request was made for something to ride over, but have got instead a burden to be carried). We thought by this special concession the Sikhs will benefit, but unfortunately for us that very concession has been the cause of taking away something which would have been our due otherwise. Sir, the other day I gave facts and figures about the representation in this Council. I brought it to the notice of the Council that the voting strength of the Sikhs was 25 per cent. of the total while the representation accorded to them 19 per cent. Unfortunately for us Government thought it advisable to act on the same principle in the case of certain municipalities, though in the case of district boards that principle has not been recognised, but instructions were issued to formulate the constituencies in such a way that several communities may be represented according to their population *plus* the voting strength divided by 2. I submit that this was not a formula nor is this a formula that ought to have been devised by the member in charge or countenanced by the Government. According to the spirit of the Reforms such representation ought to be given only when the minority communities demand it. The Reforms did not contemplate any such representation in the case of the majority communities. In the case of the Punjab if I mistake not, the Sikhs who are the only recognised important minority in this province or the Hindus who are another minority never requested the Government to extend communal representation to the municipalities or the district boards. The cause for this is this. The Sikhs who are an important minority have got voting strength far superior to their number in the district boards and they felt that according to the ordinary methods they could be there in sufficient numbers. If for the information of this House I may be permitted to refer to what has been done in the neighbouring province to placate the minorities I think it may not be out of place. In the United Provinces of Agra and Oudh a District Board Act was passed in 1922. There the Hindus

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form a majority and in order to placate the Muhammadan minority they gave representation as follows:— Wherever the population is less than one per cent. their representation should not be less than 10 per cent. where the population is more than one per cent., and less than five per cent., 15 per cent. of seats, more than five per cent. and less than 15 per cent., 25 per cent. of the seats, not less than 15 per cent. but less than 30 per cent., 30 per cent. of the seats and where it exceeded 30 per cent. they did not give any increased representation, because they thought that by their strength they could get into the boards in sufficient numbers. What do we find in the Punjab? The Sikhs are in a minority in several districts as also in several municipalities; but instead of giving them an increased representation according to some such formula, whatever was due to them according to the voting strength has been attempted to be taken away. I know that the Government in that very note have said that they do not want to apply the idea of communal representation to the district boards. They have further suggested that in practical working the proposed formula may not be possible. But why I am discussing is, that as the Punjabi proverb says

Sanun sah da dar hai.

Fah da dar nahin.

I don't care for the passage of the fair but I am afraid of the regular track being formed. Government always begins with the thin end of the wedge and ultimately a scheme comes forth in full bloom. Why was this note on the reconstruction of the municipal committees and district boards of the Punjab prepared if the formula was not intended to be worked? As I will show by actual figures, where the Sikhs have got only two or three seats there even according to the formula devised by Government, we will get less representation. For instance according to the formula which has been explained in detail in statement (8) of the note issued by the Government. We find that according to the voting strength, the Sikhs should have:—

"3·4 seats out of 34 in Hissar, but according to the formula they are getting 2·7 seats,

7·2 seats out of 32 seats in Ambala, but according to the formula, they will get 6·3,

8·0 out of 37 seats in Hoshiarpur, but according to the formula they are getting 6·7,

16·5 seats out of 34 seats in Jullundur, but according to the formula, they are getting 13·0,

23·9 seats out of 30 seats in Ludhiana, but according to the formula they are getting 19·0,

25·3 seats out of 37 seats in Ferozepore, but according to the formula, they are getting 18·1,

20·9 out of 36 seats in Lahore, but according to the formula, they are getting 14·5,

22·0 seats out of 30 seats in Amritsar, but according to the formula, they are getting 16·2."

Now these are the figures given in the Note prepared by the Government. Well, Sir, I may anticipate the Government reply. The Government benches may say that they have not worked the formula in the Note. But, I know, Sir, that instructions were issued that the constituencies should be so framed as to get in the members of several communities in the proportion desired by Government. I put a question to get the actual numbers, but with the usual regret I was not supplied with the actual figures. I have however tried to obtain privately some information and I will let the House know what the result has been in some districts. I will take for example the Gurdaspur district. There election took place in 1924 and the result of the election is, that 10,000 Sikh voters have been able to elect 10; 7,380 Hindu voters have been able to elect 15 and 8,935 Muhammadan voters have been able to elect 11. This conclusively proves that while the number of Sikh voters is the largest, the number of members that they could elect is the smallest.

There is one more thing to which I wish to draw the attention of the House. Instructions were also issued along with the same circular that whilst making nominations, the nominations should be made in such a way as not to disturb the relative proportion of the several communities. Well Sir, what do we find in the case of Ferozepore district? Out of 37 members according to the voting strength, there should be 25 Sikh members as against 12 of all other communities. Now, what do we find actually? They are 22 and 15, and all the six seats of nomination have gone to other communities. That is, in those districts where the Sikhs could govern by a majority, there even, by nomination or by some other process their strength has been reduced. I may be permitted here to digress a bit to show that I myself do not believe in the rule of religious communities. I myself think that as long as we are trying that majorities should be on a religious basis or on the basis of caste, we are pursuing a wrong path (Hear, hear). As a member of a minority community, I may go a bit further. In the communal scheme there is no chance for minorities, either they shall take sword in hand and begin to convert people in large numbers and increase their number or they cannot have any chance of having a predominant share in the Government. But if it be due to efficiency or due to education or due to sacrifice, then I think the minority communities by developing the necessary qualifications can have a chance of having an effective share in the Government of the province. The reason of my complaint is that by dividing the several communities into water-tight compartments by means of these formulas, no chance is left to any community which is in a minority to show by its superior organisation or efficiency to gain anything now-a-days. Hence every community is obliged to plead for a larger share of representation because efficiency and other qualities cannot come into play owing to the present arrangements. I am more surprised to find such formulas being devised for district boards because day in and day out in this Council I have heard that the interests of the zamindars are the same all over. Now, Sir, in all the districts where the Sikhs form the majority they are invariably zamindars. There is no necessity of removing the Sikh zamindars and placing other zamindars in their stead because if the interests of the zamindars are safe in the hands of a particular community in this council which is in a majority, it can be argued that the interests of the zamindars can also be safe in the hands of Sikh zamindars who form a majority in those district boards. Whilst on this topic of nomination, I may mention the case of Sialkot district board. There, not a single Sikh was nominated. Perhaps the Government may say that two Sikhs were nominated. But they are *patits*, that is apostates from

[Sardar Jodh Singh.]

Sikhism. It has been well understood by the Government by the passing of the Gurdwara Act that the Sikhs do not recognise *patits*. The *patits* are not part and parcel of Sikhs although we recognise *Sahjdharis* as part of Sikhs. I hope the Government will not commit that mistake again. That mistake can be rectified even now, because there are two more nominations now before the Government and if they nominate one Sikh member, the Sikhs may be reconciled to their lot in that district.

Now, Sir, what I am driving at is that if any formula is required, it is only in the interests of protecting the minorities. Reforms do not contemplate that formulas should be devised to protect the rights of majorities. I have shown that this formula in theory at least—in practice I cannot argue the case because I was not given the figures—the Sikhs lost more seats than they are entitled to by votes. During the last five years since the reforms came into operation, unfortunately for the Sikhs they were engaged in another struggle and they did not turn their attention to these matters Now I appeal to the Government and also to the majority community, not only to one majority community but also to the two majority communities who are superior to us in numbers, to be fair and just to the Sikhs. I appeal to them not to take from us what is due to us by means of voting strength if they cannot give us more than we can take otherwise. This is one thing.

The second thing is that if this communal spirit goes on unchecked, it is very harmful to the majority community in this province. The Punjab is one of the few provinces in which the Muhammadans can claim to have a predominant share in the Government on account of their numbers and if the minorities are not justly treated I may be misjudging them as a Sikh or I may not be viewing the whole things dispassionately—how can my Muhammadan friend shope to achieve their goal of Self-Government. I have given instances from the neighbouring provinces how attempts are being made to reconcile minorities, how can you allow the Sikhs, who are in a minority in this province to remain discontented with their lot. As long as communal friction lasts in this country, so long will there be no constitutional advance. Further constitutional advance will be distant in proportion to the communal friction and therefore I would appeal to the majority community—unfortunately for me the benches on which the members of the majority community usually sit are practically empty to-day. I would appeal to them through their leader that they should make some attempts to prove to the Sikhs that they are prepared to treat them in the same way as they expect to be treated in other provinces by the majority communities there.

My object in moving this motion was merely to draw the attention of the Government as well as the attention of the honourable members of this House to the grievances of the Sikhs. I do not at this moment propose to enter into any further details than are only necessary to fortify my arguments and I think I have quoted enough instances to show that the Sikhs have suffered by the use of this formula in municipalities as well as in district boards. I hope, Sir, that in future this formula will be so revised as to give no cause of complaint. With these few remarks I move my cut.

Mr. President: Grant under discussion, motion moved :—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 12,28,500—Consolidated and Development Grants to District Boards."

The question is that that motion be adopted.

Maulvi Mazhar Ali, Azhar [East and West Central Towns (Muhammadan), Urban] (Urdu): Sir, the honourable mover of the amendment has made, in a very pathetic tone, an appeal to the opposite Muhammadan benches. But as there is no one to reply to his appeal and the benches were vacant all the time he was making his speech, I am compelled to stand up to reply to his appeal. Sir, the question of representation has been of late a cause of dispute between the different communities of this country. The Punjab, in particular, has been the chief centre of communal tension. While moving his amendment the honourable mover has particularly refered to the pact arrived at by the Congress and the League at Lucknow. He remarked that as there was no Sikh representative the interests of his community were not represented. The honourable mover thinks that the Muhammadans are granted certain concessions on account of the said pact. I need not contradict him on this point but I wish that there had been a Sikh representative present so that my honourable friend the mover had not stood up to-day and said that the Sikh point of view was not at all taken into consideration. Had Sikhs been represented at the time of the pact and something done to allot their share, their case would also have been under consideration and criticism by the country during all the time that has elapsed since the pact, when the question of Muhammadans and Hindus has been under discussion. Although some people believe that the Mussalmans have gained something from the Lucknow pact, yet in my humble opinion they have not got even their proper share. Whatever they have got is much less than is their due. On the other hand, I would submit that the said pact has adversely affected the Mussalmans. In his appeal the honourable mover has particularly emphasised this point that the majority communities should not crush but try to protect the rights and interests of the minority communities. The idea that where the Muhammadans form 5 per cent. of the population they are given ten per cent. representation and where they are 20 per cent. they are given 40 per cent. representation has benefited the Mussalmans on the whole is quite misleading. The Muslims have had to compensate for what they gained in the provinces in which they formed a minority by relinquishing in those where they are in majority, so that they have been reduced to a minority in every province. Leave the case of Bengal aside and look at the elected element of this House. There are only 34 Mussalman members of this Council whereas there are 37 non-Muslims, while if the Muhammadans were given seats on the basis of their population they would have got more seats than the total seats of both the Hindus and the Sikhs.

It has been remarked that in this Council the Muhammadans are predominant. Sir, that is far from reality. The fact is that the Government enjoys predominance here sometimes by joining with the Muhammadans and defeating the Hindus and sometimes joining with the Hindus and defeating the Sikhs and *vice versa*. In this way each community may be said to predominate over other communities in this Council.

Now, Sir, I turn to the formula devised for the representation of different communities on the District Boards of this province. It has been said that it is intended only for the benefit of the Mussalmans. Sir, that is far from being a fact. By this formula the Mussalmans do not get even their due share. I do support the point of view that each community should have its proper share, but disapprove the idea that any attempt should be made to usurp the rights of other communities whether they be minority communities

[M. Mazhar Ali, Azhar.]

or majority communities. Sir, the question how the necessity of this formula has arisen is a simple one and can be easily answered. It is due to the fact that before the adoption of the formula the share allotted to the Muhammadans was considerably less than their due share. The Mussalmans protested against this sheer injustice and therefore the formula was devised. Sir, I am at one with the honourable the mover of the amendment when he says that the interests of the minority communities should be protected. But this does not mean that the interests of the majority communities should not be looked after. Sir, as I am not aware of the facts and figures which are in the possession of the Government I am not in a position to discuss them. While the honourable mover was trying to show that by this formula the Mussalmans have got more seats in the District Boards of the province he specially referred to the election of the Gurdaspur district Board held in 1924. Sir, I would submit that the Mussalmans of the Gurdaspur district have got nothing more than was their due by virtue of this formula. Of course constituencies were arranged with a view that 15 Mussalmans should come in. But this object was never achieved. Originally only 10 Mussalman members were elected. This shows that instead of 15 members the Mussalmans got only 10 members elected and for the remaining five seats, 5 Non-Muhammadans were elected. It has been remarked that this proves the unfitness of the Muhammadans. Sir, I admit that for those 5 seats the Mussalmans failed to elect their candidates. But I ask what does the election of Non-Muhammadans show? Does it not show that the majority community so far as the question of mixed electorates goes is not so communal in its feelings and narrow-minded as the minority communities have proved to be. This fact establishes beyond doubt that whereas the Mussalman majority is not bigoted enough to vote for only the Muslim candidates, only the Non-Muslims are in no case prepared to vote for a Muslim candidate. Sir, there are some other defects but I do not propose to consider them at this moment. I have said this much even only because I was pointedly interrupted by a remark from an honourable member. Originally only ten Mussalmans were elected as members of the Gurdaspur District Board. Later on a seat of Non-Muhammadan member of the District Board fell vacant. Three candidates applied for it. Of these three candidates one was Muhammadan. The two Non-Muslims withdrew in favour of the Muhammadan candidate for certain reasons. This made the number of Muhammanan members eleven. If we consider what the Gurdaspur District Board acually got by this formula we can say that it has done no special good to the Musalman community. Nevertheless the honourable mover while so zealously advocating the cause of the minority communities residing in the Punjab, has condemned the formula in strong words. He said that it should be abolished forthwith. Sir, I as a member of the majority community, would submit that whereas I would be ready to request my community to give as much representation as is reasonable to the minority communities I would in the same breath ask the minority communities not to try to usurp the rights of the majority community. Sir, another point to which I would draw the attention of the Government and the House is that the qualifications prescribed for the voters at present are such that a large portion of the population of the province is disqualified to vote and therefore fewer Muslims appear as voters. Let the standard of these qualifications be lowered. Sir, I do appreciate the point of view of my honourable friend the mover when he says that the communal feelings are as much disadvantageous to the majority communities as they are harmful to the

minority communities. But what I would request him and the other members of this House is that they should try to amicably settle communal differences now obtaining in this province. They should act on the principle of give and take. Sir, I do not urge that no amendment should be made in this formula. I say make as many amendments as you can in order to better the present situation obtaining in the province. Sir, if any majority community in any District Board or Municipal Committee is, on its own accord, prepared to forego any of its rights it is welcome to do so, but it is very objectionable and is unbearable by the majority community that the minority should usurp the rights of the majority and should be unwilling in any way to give the majority its due share. Moreover, Sir, I would like to inform the honourable mover of the amendment that in the matter of representation in the local bodies of the province the Muhammadans have more grievances than any other community of the province has.

Mr. Ram Chandra (Secretary, Transferred Departments) : Sir, I have listened with great attention to the speech of the honourable mover. I am glad he stated in the beginning that the formula which he wanted to attack has not been applied to district boards. That formula is that representation in the local bodies should be in proportion to population as modified by voting strength. He has not told us what the system of representation on district boards is. That system is what I may call a system of territorial representation, that is to say, each district is divided into so many circles. The boundaries of these circles are co-terminus with zail boundaries. Each circle sends up a representative to the district board. Now, if the results which are achieved by the adoption of this system were analysed, it would be seen that they do not correspond with the results that would be achieved by the adoption of the formula about which the honourable member wanted to raise a debate. The results are widely divergent. It is a portion of a district that is represented on a district board and it is not a community *qua* community or a class *qua* class that is represented. So much, Sir, for the system that is at present adopted for elections to district boards.

Now, I come to the formula which I understand the honourable mover would like to adopt, namely, that representation should be in proportion to the voting strength of the community.

Sardar Jodh Singh : No, Sir. I never said that. (*A voice* : *What did you say ?*).

Mr. Ram Chandra : That is, however, what I understood. With your permission, Sir, I would like to ask the honourable member one question. Does he realise that by the adoption of this formula would not result in any increase in the figures that we have got at present for his community ? Has he realised that by the adoption of this formula his community stands to lose and not to gain ? I may refer him to the situation as it exists at present. He has given certain figures of certain districts to show that his community has not got as many members on the board as it would be entitled to according to voting strength. What I find is that there are certain other districts which he has not cared to mention in which the Sikh community has got more seats . . . .

Sardar Jodh Singh : Because the Government did not supply me with figures.

Mr. Ram Chandra : The figures were not ready then. They have since been communicated to the honourable member. There are certain districts in which the number of Sikh elected members is really larger than the number to which they would be entitled according to voting strength. I would draw the attention of the honourable mover to the case of Ambala where the Sikhs according to the voting strength are entitled to 7·2 seats; and yet what do we find ? We find that they have got 15 seats for elected members leaving aside one nominated member.

Sardar Jodh Singh : That is in spite of the formula.

Mr. Ram Chandra : Coming to Hoshiarpur, the Sikhs are entitled to 8 seats according to voting strength, while they have actually got 11 seats. In Jullundur according to the formula of voting strength they should get 16·5 seats and they have actually got 20 seats. I need not read out the figures for each district in detail. After giving these figures I would now like the honourable mover to realise that the Sikh community at present is in a very favourable position, and that even if the formula which has been advocated by him were adopted, they would not be in a better position. On the whole they have got 21[illegible] seats in the whole of the Punjab while according to the formula of voting strength—I am not taking the formula of population modified by voting strength but the formula of voting strength alone which he referred to—according to that formula they are entitled to 186. Would the honourable member in a parochial spirit just for giving benefit to a few districts like his community to be deprived of these extra seats in the province ? If he were to do so, I am afraid far from earning the gratitude of his community he will be laying himself open to the charge that through a mistake made in good faith he has been the cause of depriving the community of the position, favourable as it is, which they have occupied for some years. (Hear, hear).

Pandit Nanak Chand [Hoshiarpur (Non-Muhammadan), Rural] : Sir, it has been rather difficult for me to understand the speech of Sardar Jodh Singh. (Hear, hear). I have just listened to what he had to say. It is admitted by all that so far as the District Boards are concerned there is no system of communal representation. So far the Government and Sardar Jodh Singh are on firm ground, that is to say, both of them do not want communal representation in the District Boards. But then he started quoting the case of the District Board Act of the United Provinces. There according to him an Act was passed giving to the Muhammadans 10 per cent. seats where they were one per cent. in population, 15 per cent. seats where they were 5 per cent. in population, 25 per cent. seats where they were 15 per cent. in population, and 30 per cent. seats where they were 30 per cent. in population. Am I to understand that Sardar Jodh Singh wants this sort of concession to be granted to the minority communities in the Punjab ? Does he want the District Boards Act to be so amended as to give this sort of concession to the minority communities living in the Punjab ? If that is so, he is demolishing that very principle which he wanted to set up, namely that the communal principle should not be extended and should not be accepted by the Government. My honourable friend knows that we Hindus and Sikhs do not look upon communal representation in any shape or form, with favour for the simple reason that this communal representation does not serve the purpose for which it was invented, namely the protection of minorities. I hold very strong views on

the subject and I am prepared to show to my Muhammadan friends and to my Hindu friends and to my Sikh friends that so far as communal representation is concerned it cannot protect the interests of minorities, even if the minorities are granted.....

Shaikh Muhammad Sadiq : On a point of order, Sir, is there any communal principle in District Boards or is it only an imaginary question that is being discussed ?

Pandit Nanak Chand : I am replying to the argument which has been urged by Maulvi Mazhar Ali, Azhar. So far I am not for extending the principle of communal representation to either District Boards or Municipalities and I wish to see it abolished in the case of the local legislature. I may submit that if Sardar Jodh Singh by quoting the District Boards Act wanted this communal representation to be given to minority communities living in the Punjab then I submit that this would not be accepted, because the minority communities can not be protected even if you grant them excessive representation. I will illustrate my point. Here is a province the United Provinces where the Muhammadans have got 14 per cent. of the population. They have got 30 per cent. representation in the Council. Now the Muhammadans are very keen on getting this excessive representation wherever they are in a minority. Supposing the Hindus fired with communal spirit wanted to pass a communal Act, these 30 per cent. Muhammadans cannot resist the passing of the Act when there are 70 per cent. Hindus. Then, in what way are the Muhammadans protecting themselves by the getting of 30 per cent. seats in excess of their total strength ? Even if the Muhammadans get 49 per cent. of seats and the Hindus get 51 per cent. if the Hindus were communally minded and wanted to pass an Act to the detriment of the Muhammadans, they can pass that Act by the excess of their two votes. What I am trying to submit to Sardar Jodh Singh and to Maulvi Mazhar Ali Azhar is that communal representation even in excess of the total strength ....

Sardar Jodh Singh : Sir, the honourable gentleman began by saying that he did not understand me. (A voice I think he is right).

Pandit Nanak Chand : Well, Sir, I have entirely failed to understand why Sardar Jodh Singh quoted this District Board Act of the United Provinces.

Sardar Jodh Singh : I will explain that in my reply.

Pandit Nanak Chand : Then the honourable member will not interrupt me. This sort of communal representation even in excess of population of a particular community is not going to give any protection to minority communities. My submission is that if Sardar Jodh Singh wanted the extension of communal principle to District Boards on behalf of the minority communities, I should say it should not be extended because the protection afforded is no protection at all.

Sardar Jodh Singh : We do not want it.

Pandit Nanak Chand : You and I are then agreed. Then with regard to the formula against which he wanted to protest, namely the strength of the total population plus voting strength divided by 2 there are only three methods in which you can allow the people to vote ; either you take their total strength, or you ask them to vote.

[Pandit Nanak Chand.]

on their voting strength or you ask them to vote on the formula which Sardar Jodh Singh wanted to adopt. In this case also I submit whether it is Sardar Jodh Singh or Rai Bahadur Sewak Ram or Pandit Nanak Chand or Maulvi Mazhar Ali, whenever they talk of these three principles they are thinking communally. They want to show that by accepting one principle Hindus gain a few seats in the District Board, or by accepting the second principle it is the Muhammadans that get the benefit or by acting on the third principle it is the Sikhs that gain the benefit. You are not really thinking of the general interest at large, that is, you are not thinking as a Punjabi or as an Indian. If you suggest any of these three formulas on the ground that by so doing you will get more Hindus, or more Muhammadans or more Sikhs, then you are thinking communally.

My Honourable friend Mr. Ram Chandra has shown that there are territorial divisions only and not communal for voting purposes in the District Boards. I congratulate my honourable friend Mr. Ram Chandra on his maiden speech and if what he says is correct, then we should really proceed on a territorial basis, no matter whether Hindus suffer, or the Muhammadans suffer or the Sikhs suffer. One community has always to suffer in the beginning if we are anxious to restore feelings of amity and friendship. I do not care whether I am represented by my honourable friend Lieutenant Sardar Sikandar Hayat Khan, or by Professor Ruchi Ram Sahni or by Sardar Jodh Singh. It is because there is this communal tension in the province at present that we are all thinking as so many Hindus, so many Muhammadans and so many Sikhs. You should cease to think communally and only that formula should be substituted by which we will place the interests of the country before anything else. I entirely agree with my honourable frind Maulvi Mazhar Ali, Azhar, that if this matter is to be decided amicably, it should be done outside the Council Chamber by wise people putting their heads together. If all are thinking at present communally, that injury should not be continued and should be remedied by an amicable understanding. If it cannot be avoided by one formula or another, let the minority or the majority communities suffer. It does not matter. So far as I am concerned, I do not care which community suffers, whether it is the Hindu or the Muhammadan or the Sikh, provided you keep aloof this communal feeling, or communal voting or voting in a manner by which you extend the communal principle beyond its proper scope. I am one of those who do not want communal representation anywhere and I shall be glad when my Muhammadan friends realise that by getting excessive representation in several provinces they are not doing any benefit even to their own community. The proper thing is to allow this communal representation to be entirely demolished. I shall welcome such a consummation. As time passes, they will come to realise that communal representation even in excessive strength is not a safeguard for the minority communities. There are other safeguards which other countries have adopted. We study their constitution. I have read a number of them. There is a book published by the Irish Free State and it is a book well worth reading. I submit that nowhere in the world you will find excessive representation granted to minority communities. It is absurd for minority communities to say that unless they get excessive representation they cannot protect their interests. We are always thinking as religious communities and not as citizens of a State or of an Empire and that is why all these troubles arise. I would

request my honourable friend Professor Jodh Singh to withdraw his motion and I appeal to all the members of this House that an end should be put to all the communal troubles by devising proper methods by which the minority communities may have their feelings completely assuaged by assurance from the majority communities.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban]: Sir, my honourable friend Mr. Ram Chandra in his able speech has completely demolished the arguments of the honourable member for the whole of the Punjab (Laughter). When I was a student under my honourable friend Sardar Jodh Singh I understood his logic very little but day by day I am understanding him less and less. The honourable member refused to accept the Ministership because he did not agree.....

Sardar Jodh Singh: Who offered me the Ministership?

Shaikh Muhammad Sadiq: The honourable member refused to accept the Ministership because he did not agree with the policy enunciated by that "arch enemy" of nationalism my honourable friend Mian Sir Fazl-i-Husain. My honourable friend Sardar Jodh Singh condemns dacoity but he believes in loot. That is what his logic comes to. He condemns the policy of communal representation but is ready to partake in the loot which comes from that. Is this the argument to be employed by a learned professor of a great college famous for Logic? If that is so, I am very sorry.

Now, Sir, we, Muhammadans are not enamoured of communal representation (Hear, hear). We want to give it up to-day, but there are certain important reasons why we want to have communal representation. When the people of the country change their present mentality when they do not have communal laws or communal things, we will be quite ready to give up communal representation that very moment. We certainly know that it is no good fighting with each other. There is no use of denouncing each other. This is the lot at present of both parties. I submit that both parties should change their mentality. First let each feel that the one is safe in the hands of the other, then talk of stopping of communal representation. There should be mutual trust. If there had been confidence in each other, then there would have been no necessity for my honourable friend Sardar Jodh Singh to appeal to the Government to come to the rescue of the minority community such as his community is. If all parties join together in this country, then there will be fewer government members sitting on the Treasury benches. It is because there is this communal rancour in the minds of every body that the Englishmen are able to govern this country and point with scorn to the unfitness of the people to self-government under the existing circumstances (Hear, hear). Instead of appealing to the Government let the honourable member appeal to his conscience and the conscience of his own countrymen to root out this evil of communal rancour. That is the proper place for him to appeal to. It is because that the people are divided, that Government is able to bind hand and foot the whole country. Every one wants to attack the other, each flies at the throat of the other and that is the sorry plight in which we find ourselves now and no wonder that the Government takes full advantage of our disunion and carries on the administration merrily. So if you want the system of communal representation to be stopped, then come to terms outside with Mussalmans and let a better system be evolved acceptable to all communities. My friend if he wants to attack communal representation should not have come by that door.

[Sh. Muhammad Sadiq.]

There is no use of his condemning communal representation while he himself had come only through that door. If he wants to put an end to communal representation, he must come by the other door, by the straight door. He is merely kicking up a row simply with the idea of getting more votes and showing to his community that he had not been quiet in the Council.

Sardar Randhir Singh: Which is that door through which he should come?

Shaikh Muhammad Sadiq: Through which the honourable member has come. Well, Sir, what is the idea of communal representation? We do not want that the Muhammadans should get even a single seat more than the other community. That is the goal towards which we should all work. But there is one condition precedent to achieving that end. There should be universal sufferage. How can we say to the Muhammadans that they should give up communal representation unless universal sufferage is conceded to them. Each man should have one vote. There should be no property or earning qualification. Unless universal sufferage is granted to Muhammadans how can they expect to compete favourably with the other communities, especially the Hindu community which is richer than the Muhammadan community. And who according to present rules has more votes owing to property qualification. There is the Honourable Lala Ram Saran Das with his several crores of rupees. Do you think we should give him 1,000 votes and to a poor man only one? No, that won't be democratic. Wealth should be no qualification for voting purposes. That is why Musalmans demand communal representation at present. What is the use of demanding that a man should earn an income of Rs. 8 a month or that he should possess property worth Rs. 10,000 or such other qualifications before he can exercise his franchise. If the property qualifications are insisted, then the Muhammadans suspect some mischief and that is why they stand on communal representation. If you want to convert a majority community into a minority community by manipulation of voting laws and if you want to introduce property qualifications, thereby depriving the Muhammadans of maintaining their majority in the Council, then how can you expect good feelings to prevail in this province?

Pandit Nanak Chand: The honourable member is talking communally now and in the same breath he condemns communal representation.

Sardar Jodh Singh: He cannot help doing that.

Shaikh Muhammad Sadiq: I cannot help doing it because I am sitting behind my honourable friend Sardar Jodh Singh who initiated this communal discussion. It is an infection and it has caught me also. There is no use of blaming the Muhammadans for the communal troubles that at present prevail in the province. There is no use of these pin-pricks. My honourable friend Sardar Jodh Singh must be prepared to shake hands with his fellow countrymen on a footing of equality and if the whole situation is viewed in the right spirit all the troubles will vanish ere long. No solution can be arrived at in this Council. The proper place to solve the problem is outside the Council. You have fought shoulder to shoulder with the Muhammadans in this Council and instead of lessening this communal trouble, is it good tactics now to aggravate the differences by introducing this question? What is the use of simply saying *bhai, bhai* outside, what is the use of saying that we are all brothers, if we cannot show a united front to the

Government in the Council ? We must all work shoulder to shoulder in this Council so far as fighting the Government is concerned—of course the Government does not mind our opposition. So my submission is that we should all be brothers in letter and spirit. There is no use of saying *bhai* at one time and in the next moment hitting the Muhammadan in the nose. That does not show the real spirit in which we should live in the country. My honourable friend Mr. Ram Chandra said that there was really no communal representation in the district boards and he told us plainly about this. Then why on earth fight on imaginary questions. This will simply induce the Muhammadans to ask for communal representation also in the district boards where it does not yet exist now as was said by the Secretary of Transferred Departments. I appeal to my honourable friend that this is not a question which he should ask the Government and this House to decide. In the interests of the fair name of the province and in the interest of good relationship that should subsist between the two communities, I appeal to my honourable friend to withdraw his motion. The Hindus will not reduce their number of seats, nor will the Muhammadans reduce the number of seats in any way. But they are ready to give to their Sikh brethren their due share or little more, if necessary. But they will not give to their Sikh brethren more share simply because a cut has been proposed in this House asking for indefinite things. The present strength of seats in the district boards should not be reduced in any way so as to give to the Sikh community a majority. I do not think it is right that he should bring forward such a proposition. With these few words, I appeal to my honourable friend to withdraw his motion.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban]: Sir, with your permission, I would like to make a few remarks on the motion under discussion, that is about communal representation in local bodies. Sometimes we hear the echo of national interests and of the interests of the Punjab in this House but those are only temporary phases in my opinion. Unfortunately when the opportune moment arises in this House to put into practice those theories, the Hindus look to the Hindu interests, the Muhammadans to Muhammadan interests and the Sikhs to Sikh interests and there is a fourth party now that has come into existence which says that rural interests should domin ate over all interests, whether Hindu, Muhammadan or Sikh. As regards co mmunal representation, nobody can deny that it was a sad day when the leaders of both the communities entered into a pact at Lucknow in 1916. I wish that there had been no Congress-League pact in 1916. The leaders of both communities at that time did not look to the national interests of the country ; if they had done so then there would have been no communal trouble in these days and we would not have been fighting in such an undignified manner in this Council or in the Assembly over this question of communal representation.

Maulvi Mazhar Ali, Azhar: The honourable member would not have come to this Council but for this communal representation.

Lala Mohan Lal: I would not have minded it. In my opinion some solution would have been found and the present fighting avoided. My personal opinion is this : if all of us are anxious to advance the interests of the mother country, then we should find out a formula as has been suggested by my honourable friend Pandit Nanak Chand by which we can put an end to this trouble. The only way in which we can solve this problem is to create mixed electorates from which candidates belonging to various denominations

[Lala Mohan Lal.]

will be elected. They may be Sikhs, they may be Muhammadans, or they may be Hindus, even if the number of seats is limited, let it be so many Hindus, so many Muhammadans and so many Sikhs. But if we adopt the principle that the electorate should be joint. I am sure that will help us in solving this communal problem. In the first place, we will return better people and they will be really representative. They will not represent merely the Sikhs or the Muhammadans or the Hindus, but they will represent that particular area from which they are returned.

Pandit Nanak Chand: Is not the electorate joint at this time in district boards?

Lala Mohan Lal: The electorate is joint in district boards. I am not talking of district boards at all. I am talking generally. There is no joint electorate for the Councils. So, I submit .....

Chaudhri Duli Chand: The honourable member is out of order in talking generally. The motion refers to district boards alone.

Mr. President: The honourable member will continue.

Lala Mohan Lal: I submit, Sir, that we should have a joint electorate and that is the only remedy to root out the communal feelings as regards district boards or municipalities or councils. The number of seats to the various communities may be allotted by the consent of various communities. If a joint electorate is created and if the number of seats are fixed with the consent of various parties, then there will probably be less cry of communal interests or class interests in this House as well as in other deliberative bodies.

Sardar Tara Singh: Sir, I beg to move :—

"That the question be now put."

The motion was carried.

Sardar Jodh Singh (Sikh) (Urban): Sir, I was criticised both by non-official benches and by Government benches. One of my friends did not understand my logic when he was my pupil and I think he understands it less now. When I was delivering my speech my honourable friend was not in his place and he did not know what I said .....

Pandit Nanak Chand: I hope the honourable member will specify his pupil.

Sardar Jodh Singh: The honourable member for Hoshiarpur non-Muslim rural constituency asked what I meant by quoting from the District Board Act of the United Provinces. Sir, what I meant was that in other provinces attempts have been made by the majority communities to reconcile the minorities in several ways. What I complained against is that the Government has stood to defend this formula. They want that representation should be made in the district boards on the average of voting strength plus population. They have issued a circular, as my friend from Gurdaspur has stated in the House, to the effect that constituencies should be arranged in such a way that members of a particular community could come in larger numbers. That is what I complain of. Not that I want that there should be communal representation in the district boards. I do not want that.

What I complain of is that there is a minority community which ought to have been protected under the Reforms Act, but instead of protecting that minority community means have been devised that constituencies should be changed in order that they may have less representatives than they used to have. If in spite of this the Ambala district board has got fifteen Sikh members or whatever the number may be .....

Mr. Ram Chandra : Constituencies were not arranged with that idea.

Sardar Jodh Singh : Sir, I have got the circular which embodies those instructions, and besides there is a rule in this Council that a statement made by an honourable member should be accepted by other members. The honourable member for Gurdaspur has also made a statement on the floor of this House that a circular was issued asking the authorities to change the constituencies in such a way that a particular community might get more seats than that community could according to its voting strength.

Now, Sir, the only point that I raised in this debate was that it was found that owing to its superior voting strength a special minority community could elect more members in a particular district board. A special formula was devised and instructions were issued to change the constituencies in such a way that that community should not come in such large numbers. It is to protest against that that I have raised this point. Not that I want any communal representation in district boards That is far from my mind. But what I want is that that harmful circular should be withdrawn and things shoul be allowed to go on as they were before that circular was issued. That is all I want. That is my demand and nothing more than that.

Sir, the honourable member for Amritsar (Shaikh Muhammad Sadiq) has to-day made me a very big man by saying that I refused Ministership. I wonder who told him that I had been offered it .....

Shaikh Muhammad Sadiq : All the same you are big.

Sardar Jodh Singh : But, Sir, in the same breadth he said that I was raising this issue because I wanted to get certain votes. Unfortunately he does not know that I am not a representative of rural areas and the issue that I have raised will not fetch one more vote than I would otherwise get.

Sir, I think I have made my point clear. Several Muhammadan gentlemen while speaking on this amendment said that the sufferage should be lowered. As I have expressed several times in this House I am not against it. Let there be universal sufferage, but let there be a common electorate. There is no use bringing in the theory of population day in and day out. We find so much stress laid on numbers as if numbers were the sole test. If it were so, then the gentlemen from England would have no right to sit on those Government benches. There are 32 crores of Indians and if my knowledge of geography serves me right, the English people are only about one-seventh of the Indians. But they are there because the Britishers have certain traits of character—of organisation and of efficiency—by which they got the kingdom of this country and are keeping it. Therefore, Sir, I refuse to believe that numbers are the sole test of the fitness of a community. Numbers no doubt go a long way, but there are other tests also and what I submit is that according to our present stage of development these tests are laid down in the voting qualifica-

[Sardar Jodh Singh.]

tions. I submit, Sir, that when you have accepted the basis of voting qualification, there is no use our going further and saying that though we have got less voting strength and more population in a particular area, yet we must have more seats. I refuse to submit to that proposition.

One gentleman said that in the Punjab they have got less than it was their due according to the Lucknow pact.

Maulvi Mazhar Ali, Azhar: By the Lucknow pact they get less than what was their due.

Sardar Jodh Singh: That is not so. It may not be correct according to the honourable gentleman, but that is correct according to the only test that is applied in other countries. In other countries the party that has got larger voting strength gets a larger number of seats. Sir, what I was going to say is that on the basis of voting strength the Muhammadans should get 43 per cent. seats .....

Maulvi Mazhar Ali, Azhar: That is after the pact and not before it.

Sardar Jodh Singh: Therefore I say that by the Lucknow pact they get more than was their due. According to our voting strength and according to the Reforms we got less than was our due. An appeal has been made to me not to raise this question in this Chamber and to raise this question elsewhere. Sir, I am not very hopeful of the outside conferences. All the leaders of the Punjab were present at the Unity Conference but they never did come to any definite conclusion. Sir, in this Council I raise this question not for this purpose. I have made it clear that I do not want communal representation but what I want is that if a minority community has got seats because of its superior voting strength, attempts should not be made to reduce it by the changing of constituencies or by some other formula. That is my definite demand. As for the appeal of Pandit Nanak Chand and others of his thinking that I should not introduce communal ideas into this Council, Sir, I assure you that as far as it lies in my power I will never encourage anything which will worsen the situation that at present obtains. At the same time I cannot understand the appeals of those who are sitting behind me for they are the ones who lose no opportunity of bringing in the communal question.

Sir, I will give you one instance so that I may explain myself better by illustration. In the Medical School the number of students, before this communal representation was introduced, was one-third Muhammadans, one-third Sikhs and one-third Hindus. Now the number of Sikhs has been reduced to one-fifth.

The Honourable Rai Sahib Chaudhri Chhotu Ram: Sir, is what the honourable member saying relevant at all to this particular amendment?

Mr. President: The honourable member is answering the arguments of some of the previous speakers and I think in doing so he is in order.

Sardar Jodh Singh: We find that the number of Sikhs there has been reduced. I am therefore obliged to raise this communal issue in other departments so that the Sikh young men may have their reasonable share of outlets.

Here we find that in every other local body there is a reduction in the number of Sikhs, and what I say is you should not have taken this step simply because a majority community is insisting upon communal representation. One door is shut to us because someone else is insisting upon communal representation and the other door is not open to us on the very same basis. In this way we are losing everywhere. As a representative of the Sikh community I would not mind if every office was given according to efficiency. For then we would know what to do. We would ask our young men to compete in the open market. But what do we find? If in any department we are well represented, there our numbers are being reduced, and in other departments because we failed to enter them on account of our internal troubles, they are not open to us. It is for this reason, Sir, that we are sometimes obliged to refer to this communal idea. Otherwise I am not enamoured of it. I do not want to worsen the situation that already obtains in this province. I think I have explained myself sufficiently clearly for the honourable member for Hoshiarpur to understand me and I hope he now understands the object of my moving this amendment.....

Pandit Nanak Chand: I understood you then.

Sardar Jodh Singh: Sir, I have no further object in moving this amendment than to bring to the notice of the majority community and the Government our grievances, and if you allow me, Sir, I am willing to withdraw my amendment.

The motion was by leave withdrawn.

Mr. President: The question is—

"That a sum not exceeding Rs. 14,87,000 be granted to the Punjab Government (Ministries of Agriculture and Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Scientific and Miscellaneous Departments."

The motion was carried.

The Council then adjourned till 2 P.M., on Wednesday, the 17th March 1926.

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PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL

Wednesday, the 17th March 1926.

QUESTIONS AND ANSWERS.

CO-OPERATIVE CREDIT SOCIETIES IN THE SIALKOT DISTRICT.

2912. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(*a*) the number of existing co-operative credit societies in each tahsil of the Sialkot District;

(*b*) the number in each tahsil of societies classed as—

(*i*) class A, (*ii*) class B, (*iii*) class C and (*iv*) class D societies and (*v*) those which have so far gone into liquidation;

(*c*) the number of societies in each class which are mainly (*i*) Muslims, (*ii*) Hindus, (*iii*) Sikhs and (*iv*) others, if any?

CO-OPERATIVE CREDIT SOCIETIES IN THE AMRITSAR DISTRICT.

2913. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state :—

(*a*) the number of existing co-operative credit societies in each tahsil of the Amritsar District;

(*b*) the number in each tahsil of societies classed as—

(*i*) class A, (*ii*) class B, (*iii*) class C and (*iv*) class D societies and (*v*) those which have so far gone into liquidation; and

(*c*) the number of societies in each class which are mainly (*i*) Muslims (*ii*) Hindus, (*iii*) Sikhs, and (*iv*) others, if any?

CO-OPERATIVE CREDIT SOCIETIES IN THE GUJRANWALA DISTRICT.

2914. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state —

(*a*) the number of existing co-operative credit societies in each tahsil of the Gujranwala District;

(*b*) the number in each tahsil of societies classed as—

(*i*) class A, (*ii*) class B, (*iii*) class C and (*iv*) class D societies and (*v*) those societies which have so far gone into liquidation; and

(*c*) the number of societies in each class which are mainly (*i*) Muslims, (*ii*) Hindus, (*iii*) Sikhs, and (*iv*) others, if any?

CO-OPERATIVE CREDIT SOCIETIES IN THE SHEIKHUPURA DISTRICT.

2915. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state:—

(a) the number of existing co-operative credit societies in each tahsil of the Sheikhupura District;

(b) the number in each tahsil of societies classed as (i) class A, (ii) class B, (iii) class C and (iv) class D societies and (v) those societies which have so far gone into liquidation; and

(c) the number of societies in each class which are mainly (i) Muslims, (ii) Hindus, (iii) Sikhs and (iv) others, if any.

CO-OPERATIVE CREDIT SOCIETIES IN THE LAHORE DISTRICT.

2916. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state:—

(a) the number of existing co-operative credit societies in each tahsil of the Lahore District;

(b) the number in each tahsil of societies classed as—

(i) class A, (ii) class B, (iii) class C and (iv) class D societies and (v) those societies which have so far gone into liquidation; and

(c) the number of societies in each class which are mainly (i) Muslims (ii) Hindus, (iii) Sikhs and (iv) others, if any?

CO-OPERATIVE CREDIT SOCIETIES IN THE KANGRA DISTRICT.

2917. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state:—

(a) the number of existing co-operative credit societies in each tahsil of the Kangra District;

(b) the number in each tahsil of societies classed as:—

(i) class A, (ii) class B, (iii) class C and (iv) class D societies, and (v) those societies which have so far gone into liquidation; and

(c) the number in each class of societies which are mainly (i) Muslims, (ii) Hindus, (iii) Sikhs and (iv) others, if any?

CO-OPERATIVE CREDIT SOCIETIES IN THE HOSHIARPUR DISTRICT.

2918. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state:—

(a) the number of existing co-operative credit societies in each tahsil of the Hoshiarpur District;

(b) the number in each tahsil of societies classed as—

(i) class A, (ii) class B, (iii) class C and (iv) class D societies, and (v) those societies which have so far gone into liquidation; and

(c) the number of societies in each class which are mainly (i) Muslims, (ii) Hindus, (iii) Sikhs and (iv) others, if any?

CO-OPERATIVE CREDIT SOCIETIES IN THE JULLUNDUR DISTRICT.

2919. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(*a*) the number of existing co-operative credit societies in each tahsil of the Jullundur District ;

(*b*) the number in each tahsil of societies classed as—

(*i*) class A, (*ii*) class B, (*iii*) class C and (*iv*) class D societies and (*v*) those societies which have so far gone into liquidation ; and

(*c*) the number of societies in each class which are mainly (*i*) Muslims, (*ii*) Hindus, (*iii*) Sikhs and (*iv*) others, if any ?

CO-OPERATIVE CREDIT SOCIETIES IN THE FEROZEPORE DISTRICT.

2920. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(*a*) the number of existing co-operative credit societies in each tahsil of the Ferozepore district ;

(*b*) the number in each tahsil of societies classed as —

(*i*) class A, (*ii*) class B, (*iii*) class C and (*iv*) class D societies, and (*v*) those societies which have so far gone into liquidation ; and

(*c*) the number of societies in each class which are mainly (*i*) Muslims, (*ii*) Hindus, (*iii*) Sikhs and (*iv*) others, if any ?

CO-OPERATIVE CREDIT SOCIETIES IN THE LUDHIANA DISTRICT.

2921. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(*a*) the number of existing co-operative credit societies in each tahsil of the Ludhiana District ;

(*b*) the number in each tahsil of societies classed as —

(*i*) class A, (*ii*) class B, (*iii*) class C and (*iv*) class D societies, and (*v*) those societies which have so far gone into liquidation ; and

(*c*) the number of societies in each class which are mainly (*i*) Muslims, (*ii*) Hindus, (*iii*) Sikhs, and (*iv*) others, if any ?

The Honourable Sardar Jogendra Singh : Sir, with your permission I propose to give the following reply to Questions Nos. 2912—21.

(*a*) and (*b*) Government does not consider that the value of the statistics suggested would be in any way commensurate with the time and labour involved in collecting them.

(*c*) Societies are intended to serve the interests of all communities. No communal classification exists.

DESTRUCTION OF DOGS.

2922. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state—

(a) the number of dogs destroyed in the municipal areas under orders from the municipal authorities during the years 1919-20 to 1924-25;

(b) the expenditure incurred by each municipality on account of the destruction of dogs; and

(c) the names of municipalities which destroyed more than 10 dogs during each year, together with the actual number destroyed?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

MORTALITY IN THE PROVINCE.

2923. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state the number of deaths in the province from (i) consumption, (ii) cholera, (iii) plague, (iv) influenza, (v) typhoid, (vi) small-pox, (vii) heart failure, (viii) drowning, (ix) snake bite, (x) murder, (xi) suicide, (xii) falling from trees and roofs, etc., and (xiii) accidents in factories and other places where machines were used during each of the years 1911-12 to 1924-25?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

LAND FOR AGRICULTURAL FARM, GURDASPUR.

2924. Maulvi Mazhar Ali, Azhar: (a) Will the Government be pleased to state if it is a fact—

(i) that the land at present intended to be acquired for the extension of the Agriculture Farm, Gurdaspur, is situated in about five different blocks separated by the railway line and several public roads;

(ii) that originally it was planned that land may be better acquired in other directions in a single block and plans of that block were prepared but the proposal was dropped without adequate reasons;

(iii) that the land now under acquisition is situate close to the civil station, Railway station, Dâk bungalow godown and grain market and is the only place for the extension of the civil station and the Gurdaspur town;

(iv) that the land in blocks D and E is not meant mainly for agricultural purposes;

(v) that the Tahsildar after recording evidence reported that the land was worth Rs. 1,500 per kanal; and

(vi) that the Revenue Assistant although he assessed the value of the land at a lower price has definitely reported that this land especially in blocks D and E of the plan should not be acquired at all?

(b) Is it a fact that some of the land at present proposed to be acquired was given to the proprietors in exchange for other land acquired from them on previous occasions? If so, will the Government please state the area of such land and the names of the proprietors?

(c) Is it a fact that some of the proprietors from whom the lands are proposed to be acquired are non-agriculturists and are unable to acquire land on account of statutory prohibition? If so, will the Government please state their names and the area owned by each? Does the Government propose to give them land in exchange? If so, where?

(d) Will the Government be pleased to state—

(i) the basis of calculation of area of land to be given in exchange for land acquired;

(ii) whether the fact that the houses in the *abadi* will become useless to several persons and they will have to build new houses in places where the land is given to them in exchange will have any weight with the Government when deciding the question of grant of land in exchange for land acquired;

(iii) whether the Government will take into consideration the fact that land of a similar value given in far off districts does not meet with the requirements of those who will thus be banished from their hearths and homes and have often to come back to see their relatives on various occasions; and

(iv) whether a lambardar will lose his lambardarship with all its privileges on account of the acquisition of his land, and if so, how Government proposes to compensate for it?

(e) Will the Government be pleased to state why it is not proposed to acquire land in other parts of Gurdaspur where land cheaper and better fitted for agricultural purposes is available to the extent of more than 500 acres and that from villages whose lands so far have never been acquired and are situated in the immediate neighbourhood of the Farm lands?

The Honourable Sardar Jogendar Singh: No proposals for the acquisition of a specified piece or pieces of land for the extension of the agricultural farm at Gurdaspur have yet reached Government. It is understood that the matter is still under correspondence between the Director of Agriculture and Deputy Commissioner, Gurdaspur.

When and if a notification is issued for the acquisition of land any person interested in that land has the right to object to the acquisition under section 3-A of the Land Acquisition Act.

2925.—*Cancelled.*

LESSER THAL PROJECT.

2926. Mian Muhammad Shah Nawaz: (a) Has the Local Government received any reply from the Government of India in respect of the Lesser Thal Project which was submitted to it for obtaining the sanction ofthe Secretary of State for India? If the answer is in the affirmative, will he Government be pleased to lay a copy of the reply on the table?

[Mian Muhammad Shah Nawaz.]

(b) Is it a fact that the Bombay Government has raised objections against the construction of the Lesser Thal Project? If so, will the Government be pleased to lay on the table a copy of the objections?

(c) Will the Government please state what steps it is taking to safeguard the rights and interests of the province of Punjab in the waters of the Indus and its tributaries?

(d) Does Government propose to urge upon the Government of India the necessity of appointing an expert committee or commission with a view to decide the all-important question of apportionment of the waters of the Indus between the province of Sind and the Punjab?

(e) Will the Government be pleased to consider the advisability of repealing the Sind Sagar Doab Colonisation Act of 1902 in case the Government of India is not prepared to forward the Thal Lesser Project to the Secretary of State for sanction?

The Honourable Mian Sir Fazl-i-Husain:

(a) Yes, but it will serve no useful purpose to do so.

(b) Yes, but it will serve no useful purpose to do so.

(c) and (d). Every effort will be made to safeguard the rights and interests of the Province and in doing so such measures as commend themselves to Government will be adopted.

(e) Does not arise.

LALA NAND LAL, HEADMASTER, GOVERNMENT HIGH SCHOOL, KAITHAL.

2927. Rana Firoz-ud-Din Khan: (i) Is it a fact that—

(a) Lala Nand Lal, Headmaster, Government High School, Kaithal was compelled on account of public agitation to take long leave from Bahadurgarh High School where he was posted before being appointed at Kaithal;

(b) from 1923 to 1925 both official and non-official presidents of the Kaithal municipality were not satisfied with him and repeatedly moved for his transfer from the School which was then a municipal board school;

(c) the log book of Kaithal High School contains remarks by the Inspector of Schools, Ambala Division, to the effect that relations between the Headmaster and the Municipal Committee were not cordial; and

(d) complaints were made against the behaviour of the said Headmaster by leading citizens of Kaithal?

(ii) Will the Government please state the reasons for not transferring the Headmaster inspite of strong agitation against him? Will the Government consider the advisability of transferring him now?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

LALA NAND LAL, HEADMASTER, GOVERNMENT HIGH SCHOOL, KAITHAL.

2928. Rana Firoz-ud-Din Khan (*i*) Is it a fact that—

(*a*) Anjuman-i-Islamia, Kaithal, addressed representations to the Inspector of Schools, Ambala Division, and the Director of Public Instruction, Punjab, making serious allegations against Lala Nand Lal, Headmaster, Government High School, Kaithal, and their deputations also waited upon the Inspector of Schools, the Deputy Commissioner, Karnal, and the then Honourable Minister for Education (Khan Bahadur Shaikh Abdul Qadir) in this connection ?

(*b*) Several Hindu and Muslim teachers of the School addressed representations to the Inspector of Schools, Ambala Division, making serious allegations against the said Headmaster ; and

(*c*) the said Headmaster has not been regularly depositing into the treasury tuition fees which irregularity was objected to by the auditor ?

(*ii*) If replies to (*i*) above be in the affirmative, will the Government please state what action they have taken to enquire into the allegations made against the said Headmaster ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

AGRICULTURAL FARM IN THE KANGRA DISTRICT.

2929. Chaudhri Ram Singh : Is it a fact that Government intends to establish an agricultural farm in the Kangra District ? If the answer to the above be in the affirmative, will it please state what steps have so far been taken to achieve that end and when will the farm be established ?

The Honourable Sardar Jogendra Singh : Yes. Necessary funds for the establishment of a farm at Kangra have been asked for and if they are voted by the Legislative Council it is hoped that this farm will be started in the next financial year.

HINDU-MUSLIM FRACAS IN THE PROVINCE.

2930. Chaudhri Ram Singh : Is it a fact that Hindu-Muslim fracas in the province is daily increasing in number ? If the answer be in the affirmative, will Government please state what special measures they propose to adopt to check such outbreaks ?

The Honourable Sir John Maynard : The answer to the first part of the question is in the negative ; the second part does not arise.

2931.—*Cancelled.*

PROFESSIONAL TAX-PAYERS IN THE ROHTAK DISTRICT.

2932. Chaudhri Duli Chand : (*a*) Will Government kindly state the number of professional tax-payers belonging to the depressed classes in the Rohtak District ?

[Ch. Duli Chand.]

(b) Is Government aware that on account of their scattered population in this district, these professional tax-payers cannot send to the District Board of Rohtak a representative of their own choice by election?

(c) If so, has Government given them any representation in the District Board by nomination?

(d) If not, does Government propose to consider the question of giving them representation in future by nomination in consultation with the workers among these depressed classes?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) The classes falling under the designation 'depressed' not being specified in the question, it is not possible for Government to state the number of professional tax-payers among them.

(b), (c) and (d) Owing to the difficulty pointed out in (a) a reasonably correct answer is not feasible.

PROBATIONARY SUB-INSPECTORS OF POLICE.

2933. Chaudhri Duli Chand: (a) Will Government be pleased to lay on the table a statement in the following form showing the number of probationary sub-inspectors of police selected for training this year from the Eastern Range:—

Name.	Agriculturist or non-agriculturist.	Tribe, if agriculturist.	Religion.

(b) In consideration of the above statement, will Government kindly state how far the Government circulars *re*: increased employment of Hindu Jats have been observed?

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

REMISSION OF LAND REVENUE IN CERTAIN VILLAGES OF THE KARNAL DISTRICT.

2934. Chaudhri Duli Chand: (a) Is it a fact that on account of surface floods during the last rainy season the villages "Atawala" and "Israna" in the Karnal District were recommended by the district authorities for the remission of land revenue?

(*b*) Is it also a fact that before orders for remission could be communicated to them, they were made to pay into the tahsil treasury their land revenue instalment?

(*c*) If so, does Government propose to refund this payment?

The Honourable Mian Sir Fazl-i-Husain: (a) No.

(*b*) and (*c*) Do not arise.

IRRIGATION OF VILLAGE BHALSI, PANIPAT TAHSIL.

2935. **Chaudhri Duli Chand:** (*a*) Is it a fact that about a decade ago the area of village Bhalsi in the Panipat tahsil was irrigated by the Auntla minor?

(*b*) Is it also a fact that this area is now irrigated by Bhalsi minor?

(*c*) Is Government aware that the new arrangements have decreased the irrigation of the area?

(*d*) Is Government also aware that repeated complaints were made by the zamindars against the new arrangements?

(*e*) If so, what action has the Government taken in the matter?

The Honourable Mian Sir Fazl-i-Husain: (*a*) No. Bhalsi village has been irrigated by Bhalsi minor since 1898.

(*b*), (*c*), (*d*) } The questions do not arise.

(*e*) As there is shortage of irrigation to Bhalsi minor proposals are in hand for remodelling it during the next financial year.

DECLARATION OF "SIKHS" AS A CASTE.

2936. **Chaudhri Duli Chand:** (*a*) Is Government aware that "religion" and "caste" are quite different things?

(*b*) Is Government also aware that the word "Sikh" denotes a religion and the word "Jat" a caste?

(*c*) If so, is it a fact that the Government Gazette (Extraordinary), dated the 17th October 1925, declares 'Sikhs' to be a caste on page 292. If so, does Government propose to issue the necessary correction?

The Honourable Mian Sir Fazl-i-Husain: Yes, the terms are used loosely.

CO-OPERATIVE SOCIETIES IN THE GURDASPUR DISTRICT.

2937. **Maulvi Mazhar Ali, Azhar:** Will the Government be pleased to state the number of co-operative societies in each tahsil of the Gurdaspur District at the end of the year 1922-23 and the number amongst them of societies which were mainly (*i*) Muslim, (*ii*) Sikh and (*iii*) Hindu?

CO-OPERATIVE SOCIETIES IN THE GURDASPUR DISTRICT.

2938. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(*a*) the number of new co-operative societies formed in each tahsil of the Gurdaspur District during 1923-24, 1924-25 and 1925-26 ; and

(*b*) the number amongst them which are mainly (*i*) Muslim, (*ii*) Sikh and (*iii*) Hindu ?

CO-OPERATIVE SOCIETIES IN THE GURDASPUR DISTRICT.

2939. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(*a*) the number per tahsil in the Gurdaspur District of co-operative societies whose maximum credit limit is Rs. 6,000 or upwards,

(*b*) the number in this category of societies which are mainly (*i*) Muslim, (*ii*) Sikh and (*iii*) Hindu ?

CO-OPERATIVE SOCIETIES IN THE GURDASPUR DISTRICT.

2940. Maulvi Mazhar Ali, Azhar : Will the Government to pleased to state—

(*a*) the number per tahsil in the Gurdaspur District of co-operative societies whose maximum credit limit is from Rs. 5,000 to Rs. 5,999 ;

(*b*) the number in this category of societies which are mainly (*i*) Muslim, (*ii*) Sikh and (*iii*) Hindu ?

CO-OPERATIVE SOCIETIES IN THE GURDASPUR DISTRICT.

2941. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(*a*) the number per tahsil in the Gurdaspur District of co-operative societies whose maximum credit limit is from Rs. 4,000 to Rs. 4,999 ;

(*b*) the number in this category of societies which are mainly (*i*) Muslim, (*ii*) Sikh and (*iii*) Hindu ?

CO-OPERATIVE SOCIETIES IN THE GURDASPUR DISTRICT.

2942. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(*a*) the number per tahsil in the Gurdaspur District of co-operative societies whose maximum credit limit is from Rs. 3,000 to Rs. 3,999 ;

(*b*) the number in this category of societies which are mainly (*i*) Muslim, (*ii*) Sikh and (*iii*) Hindu ?

CO-OPERATIVE SOCIETIES IN THE GURDASPUR DISTRICT.

2943. **Maulvi Mazhar Ali, Azhar**: Will the Government be pleased to state—

(a) the number per tahsil in the Gurdaspur District of co-operative societies whose maximum credit limit is from Rs. 2,000 to Rs. 2,999;

(b) the number in this category of societies which are mainly (i) Muslim, (ii) Sikhs and (iii) Hindu?

CO-OPERATIVE SOCIETIES IN THE GURDASPUR DISTRICT.

2944. **Maulvi Mazhar Ali, Azhar**: Will the Government be pleased to state—

(a) the number per tahsil in the Gurdaspur District of co-operative societies whose maximum credit limit is from Rs. 1,000 to Rs. 1,999;

(b) the number in this category of societies which are mainly (i) Muslim, (ii) Sikh and (iii) Hindu?

CO-OPERATIVE SOCIETIES IN THE GURDASPUR DISTRICT.

2945. **Maulvi Mazhar Ali, Azhar**: Will the Government be pleased to state—

(a) the number per tahsil in the Gurdaspur District of co-operative societies whose maximum credit limit is below Rs. 1,000?

(b) the number in this category of societies which are mainly (i) Muslim, (ii) Sikh and (iii) Hindu?

CO-OPERATIVE SOCIETIES IN THE AMRITSAR DISTRICT.

2946. **Maulvi Mazhar Ali, Azhar**: Will the Government be pleased to state—

(a) the number per tahsil in the Amritsar district of co-operative societies whose maximum credit limit is Rs. 6,000 or upwards;

(b) the number amongst them which are mainly (i) Muslim, (ii) Sikh and (iii) Hindu?

CO-OPERATIVE SOCIETIES IN THE AMRITSAR DISTRICT.

2947. **Maulvi Mazhar Ali, Azhar**: Will the Government be pleased to state—

(a) the number per tahsil in the Amritsar District of co-operative societies whose maximum credit limit is from Rs. 5,000 to Rs. 5,999;

(b) the number amongst them which are mainly (i) Muslim, (ii) Sikh and (iii) Hindu?

CO-OPERATIVE SOCIETIES IN THE AMRITSAR DISTRICT.

2948. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state —

(a) the number per tahsil in the Amritsar District of co-operative societies whose maximum credit limit is from Rs. 4,000 to Rs. 4,999 ;

(b) the number amongst them which are mainly (i) Muslim, (ii) Sikh and (iii) Hindu ?

CO-OPERATIVE SOCIETIES IN THE AMRITSAR DISTRICT.

2949. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state —

(a) the number per tahsil in the Amritsar district of co-operative societies whose maximum credit limit is from Rs. 3,000 to Rs. 3,999 ;

(b) the number amongst them which are mainly (i) Muslim, (ii) Sikh and (iii) Hindu ?

CO-OPERATIVE SOCIETIES IN THE AMRITSAR DISTRICT.

2950. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(a) the number per tahsil in the Amritsar district of co-operative societies whose maximum credit limit is from Rs. 2,000 to Rs. 2,999 ;

(b) the number amongst them which are mainly (i) Muslim (ii) Sikh and (iii) Hindu ?

CO-OPERATIVE SOCIETIES IN THE AMRITSAR DISTRICT.

2951. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(a) the number per tahsil in the Amritsar district of co-operative societies whose maximum credit limit is from Rs. 1,000 to Rs. 1,999 ;

(b) the number amongst them which are mainly (i) Muslim, (ii) Sikh and (iii) Hindu ?

CO-OPERATIVE SOCIETIES IN THE AMRITSAR DISTRICT.

2952. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state—

(a) the number per tahsil in the Amritsar District of co-operative societies whose maximum credit limit is below Rs. 1,000 ;

(b) the number amongst them which are mainly (i) Muslim, (ii) Sikh and (iii) Hindu ?

CO-OPERATIVE SOCIETIES IN THE AMRITSAR DISTRICT.

2953. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state—

(*a*) the number of co-operative societies in each tahsil of the Amritsar district at the end of the year 1922-23; and

(*b*) the number amongst them which were mainly (*i*) Muslim, (*ii*) Sikh and (*iii*) Hindu.

CO-OPERATIVE SOCIETIES IN THE AMRITSAR DISTRICT.

2954. Maulvi Mazhar Ali Azhar: Will the Government be pleased to state—

(*a*) the number of co-operative societies formed in each tahsil of the Amritsar district during 1923-24, 1924-25 and 1925-26; and

(*b*) the number amongst them which are mainly (*i*) Muslim, (*ii*) Sikh and (*iii*) Hindu?

The Honourable Sardar Jogendra Singh: Sir, with your permission I propose to give the following reply to Questions Nos. 2937—54.

The honourable member is referred to the reply given to his Questions* Nos. 2912 to 2921.

CO-OPERATIVE CENTRAL BANK, GURDASPUR.

2955. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state—

(*a*) the amount of money advanced by the Gurdaspur co-operative central bank to the Amritsar co-operative central bank; and

(*b*) the amount advanced by the same bank to the union banks in the Amritsar district, the names of such union banks and the amount advanced to each?

UNION BANK, GURDASPUR DISTRICT.

2956. Maulvi Mazhar Ali, Azhar: (*a*) Will the Government be pleased to state for the Gurdaspur district in 1922-23—

(*i*) the number of union banks dealing solely with the Co-operative Central Bank, Gurdaspur;

(*ii*) the number of union banks dealing solely with the Imperial Bank; and

(*iii*) the number of union banks dealing both with the Co-operative Central Bank, Gurdaspur, and the Imperial Bank?

(*b*) Will the Government be pleased to state the names of these union banks, the names of their presidents and their maximum credit limit?

UNION BANKS IN THE GURDASPUR DISTRICT.

2957. Maulvi Mazhar Ali, Azhar: (*a*) Will the Government be pleased to state the names of the present union banks in the Gurdaspur district, the names of their presidents and the maximum credit limit of each?

*Page 793 *ante*.

[Maulvi Mazhar Ali Azhar.]

(b) Will the Government also state in each case whether the union banks deal with—

(i) the Co-operative Central Bank, Gurdaspur;

(ii) the Imperial Bank; or

(iii) both with the Co-operative Central Bank, Gurdaspur, and the Imperial Bank?

(c) Will the Government also kindly state if any union banks are intended to be wound up. If so, which?

CO-OPERATIVE CENTRAL BANK, GURDASPUR.

2958. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state—

(a) the amount of money advanced by the Co-operative Central Bank, Gurdaspur, in the years 1924 and 1925 to—

(i) each of the union banks in the district; and

(ii) co-operative societies; and

(b) the amount advanced to co-operative societies which are mainly (i) Muslim, (ii) Sikh and (iii) Hindu?

UNION BANKS IN THE GURDASPUR DISTRICT.

2959. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state—

(a) the sums advanced by each of the union banks in the Gurdaspur district to the co-operative societies in the years 1924 and 1925; and

(b) the sums thus advanced to societies which are mainly (i) Muslim, (ii) Sikh and (iii) Hindu?

The Honourable Sardar Jogendra Singh: Sir, with your permission I propose to give the following reply to questions Nos. 2955—59:—

The inquiry would be difficult and laborious, and the value of the information would be disproportionate to the labour involved.

ADVANCES TO CO-OPERATIVE SOCIETIES, GURDASPUR.

2960. Maulvi Mazhar Ali, Azhar: (a) Is it a fact that when money is advanced to co-operative societies by Government the report of the Sub-Inspector or Inspector of Co-operative Societies of the circle is ordinarily called for?

(b) Will the Government please state the names of societies in each tahsil of the Gurdaspur district to whom sums were advanced by Government without the report and recommendation of the Sub-Inspector or Inspector during (i) 1924 and (ii) 1925?

The Honourable Sardar Jogendra Singh:

(a) No.

(b) No Government loans were advanced to societies in the Gurdaspur district during the years 1924 and 1925.

UNION BANKS IN THE AMRITSAR DISTRICT.

2961. Maulvi Mazhar Ali, Azhar: (a) Will the Government be pleased to state the names of the union bank in the Amritsar district, the names of their presidents and the maximum credit limit of each bank ?

(b) Will the Government also kindly state in the case of each union whether it deals—

(i) solely with the Amritsar Co-operative Central Bank ;

(ii) solely with the Imperial Bank ;

(iii) both with the Amritsar Co-operative Central Bank and the Imperial Bank ; or

(iv) with any other bank ?

UNION BANKS IN THE AMRITSAR DISTRICT.

2962. Maulvi Mazhar Ali, Azhar: (a) Will the Government be pleased to state the number in the Amritsar district in 1922—

(i) of union banks dealing solely with the Central Bank, Amritsar ;

(ii) of union banks dealing solely with the Imperial Bank ;

(iii) of union banks dealing both with the Central and the Imperial Banks ; and

(iv) of union banks dealing with any other banks ;

(b) Will the Government be pleased to state also the names of those union banks, the names of their presidents and the maximum credit limits of each ?

CO-OPERATIVE CENTRAL BANK, AMRITSAR.

2963. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state—

(a) the amount of money advanced by the Co-operative Central Bank, Amritsar, to—

(i) each of the union banks in the district ; and

(ii) the co-operative societies in 1924 and 1925 ; and

(b) the amount so advanced to co-operative societies which are mainly (i) Muslim, (ii) Sikh, and (iii) Hindu ?

UNION BANKS IN THE AMRITSAR DISTRICT.

2964. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state—

(a) the sums advanced by each of the union banks in the Amritsar district to the co-operative societies in 1924 and 1925 ; and

(b) the sums thus advanced to societies which were mainly (i) Muslim, (ii) Sikh, and (iii) Hindu.

The Honourable Sardar Jogendra Singh: Sir, with your permission I propose to give the following reply to questions Nos. 2961—64:—

The inquiry would be difficult and laborious, and the value of the information would be disproportionate to the labour involved. Government do not therefore propose to direct its collection.

ADVANCES TO CO-OPERATIVE SOCIETIES, AMRITSAR DISTRICT.

2965. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state the number of co-operative societies in the Amritsar district to which advances were made by Government during (*i*) 1924 and (*ii*) 1925, without the report and recommendation of the Sub-Inspector or Inspector of co-operative societies of the circle, and also the sum thus advanced to each such society?

The Honourable Sardar Jogendra Singh: No advances were made by Government to societies in Amritsar District in 1924.

Rs. 40,000 was advanced in 1925 to the Weavers Central Co-operative Stores, now known as the Co-operative Industrial Bank, at Amritsar.

TERMINAL-TAX IN GURDASPUR.

2966. Maulvi Mazhar Ali, Azhar: (*a*) Is it a fact that the proposal to introduce the terminal tax system in Gurdaspur was initiated in the year 1915? If so, will the Government please state the amount so far spent by the municipal committee, Gurdaspur, on the preparation and submission of the scheme?

(*b*) Is it a fact that the proposal was announced together with the taxation schedule early in 1919?

(*c*) Is it a fact that objections were raised by persons concerned and the Deputy Commissioner and Commissioner heard and adjudicated upon the objections?

(*d*) Is it a fact that for more than five years since that period no progress has been made with the scheme? If so, will the Government please state the reasons for the delay?

(*e*) Does the Government intend to allow the introduction of the new system? If so, has the Government ever considered the desirability of expediting it? If not, will it kindly state its reasons?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (*a*) The proposal was received in this office in August 1922. Part (2) of the question cannot be answered, as it is not clear what is meant by the word "amount", amount of time, labour, money, or what?

(*b*) From the records in this office, it appears that the proposed schedule of terminal tax was approved by the committee on 31st January 1922, and then published for receiving objections.

(c) Objections were considered.

(d) The matter has been under the consideration of Government, in consultation with local officers and the municipal committee. The railway station had to be included within municipal limits, and railway authorities had to be consulted about the proposed schedule.

(e) The matter is under consideration, and early orders may be expected.

2967—68.—*Cancelled.*

COMPLAINTS TO THE SUPERINTENDENT OF POLICE, GURDASPUR.

2969. Chaudhri Ram Singh: (a) Will Government be pleased to state—

(a) if it is a fact that enquiries are made by Sub-Inspectors in regard to all complaints sent by post to the Superintendent of Police, Gurdaspur, on non-stamped paper;

(b) the number of investigations carried out by the Police on the strength of written reports sent by post to the Superintendent of Police, Gurdaspur, and the number of investigations carried out by the Police on the strength of reports made in the thanas;

(c) whether the Government is prepared to discontinue the system mentioned in (a) and to order that all complaints should be made in the thanas or that complainants should have recourse to law in case they have got specific complaints against anybody?

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

GUN LICENCES.

2970. Chaudhri Ram Singh: Will Government be pleased to state the number of gun licences held by the people of the Kangra District three years ago and the number of licences held by them at present, giving details in regard to the following:—

(1) the number of gun licences granted for use in the whole of India for *shikar* purposes;

(2) the number of gun licences granted for use in the whole of the Punjab for *shikar* purposes;

(3) the number of gun licences granted for use in the Kangra district for *shikar* purposes; and

(4) the number of gun licences granted for the protection of agriculture.

The Honourable Mian Sir Fazl-i-Husain : A statement is laid on the table. It is presumed that the honourable member desires statistics for the years 1922 and 1925 :—

Statement regarding arms licences in the Kangra District.

YEARS.	NUMBER OF OLD LICENCES RENEWED FOR PURPOSES OF SPORT AND VALID THROUGHOUT.			NUMBER OF NEW LICENCES ISSUED FOR PURPOSES OF SPORT AND VALID THROUGHOUT.			FOR THE PROTECTION OF CROPS.	
	British India.	The Punjab.	The Kangra District.	British India.	The Punjab.	The Kangra District.	Old licences renewed.	New licences issued.
1922 ...	753	18	103	278	62	143	2,188	9
1925 ...	950	301	186	55	272	59	1,963	38

PROFITS PAID BY THE DEPARTMENT OF SHAH NEHR, MUKERIAN.

2971. Chaudhri Ram Singh : Will Government be pleased to state—

(*a*) the amount of profits paid by the department of Shah Nehr, Mukerian, District Hoshiarpur, during the years 1923, 1924 and 1925 to the owners of the said canal on their shares, giving details per village ;

(*b*) the amount of *halla* fine realised from each of these villages during the three years mentioned in (*a*) ; and

(*c*) the amount of profits paid on the shares per village and the amount of *ha la* fine realised per village, respectively ?

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

INSPECTION OF CERTAIN CANALS BY THE TAHSILDARS OF DASUHA AND NURPUR.

2972. Chaudhri Ram Singh : (*a*) Is it a fact that in accordance with the judgment of the Commissioner of Jullundur Division, the tahsildars of tahsil Dasuha, district Hoshiarpur, and tahsil Nurpur, district Kangra, accompany each year the proprietors of Buddha Bar, Jandwal, Thakardwara and Barota canals to Debar Dhade Kotwal and show them the head of the canal ?

(*b*) Is it also a fact that the Commissioner has remarked in his judgment that if the tahsildars fail to come to a decision, the matter should be decided on the spot by the Deputy Commissioners of both the districts ?

(c) Is it a fact that the proprietors of the said canals sent in objections in February 1926? If so, will the Deputy Commissioners of both the districts go to the spot in order to hear their objections? If not, why not?

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

GRANT OF LANDS.

2973. Chaudhri Ram Singh: Will Government please state what area of land in the colonies has been granted during the period 1921—25 to those persons whose lands have been washed away by the rivers? Will it please state per district the number of such grants of land?

The Honourable Mian Sir Fazl-i-Husain: The information asked for is not available as no separate record is kept of colonists who may have been selected for grants by their District Officers on the ground that they had suffered extreme hardship through river action.

2974—2994.—*Cancelled.*

BHIWANI MILL CASES.

2995. Professor Ruchi Ram Sahni: (a) Has the attention of Government been drawn to the judgment in Bhiwani Mill cases decided by the Special Magistrate, Bhiwani, on the 27th January 1926?

(b) Is the Government aware that the Special Magistrate has acquitted the accused honourably, and has held that the prosecution was quite unjustified, and that there has been waste of Government money?

(c) Is the Government aware that Mr. F. A. Connor, District Magistrate of Hissar, who tried the first of the cases, recommended to the Government that the other cases need not be proceeded with and the cases mentioned in (a) were started inspite of his recommendation?

(d) Is the Government aware that these mill cases have been going on for the last two years?

(e) Is it a fact that a Special Public Prosecutor was appointed to conduct them; that the Magistrate has held that they were unduly prolonged by the prosecution, and that unnecessary evidence was produced?

(f) When there are more cases than one against the same person is it not the practice of the Government to drop the other cases after conviction has been secured in one case? If so, does the Government propose to act upon this rule?

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

EXECUTIVE OFFICERS AT REWARI.

2996. Professor Ruchi Ram Sahni: (a) Is it a fact that during the last 18 months or so both the Tahsildar and the Naib-Tahsildar at Rewari have been Muhammadans?

(b) Is it a fact that there is a preponderance of Hindu population in the town, and that there has been disturbance recently between Hindus and Muhammadans?

[Professor Ruchi Ram Sahni.]

(c) Does Government propose to consider the advisability of replacing one of the officers referred to in (a) by a Hindu officer of some standing?

The Honourable Mian Sir Fazl-i-Husain: (a) (b) & (c) Yes.

IMPORTATION OF LABOUR FROM OTHER PROVINCES.

2997. Mr. Owen Roberts: Will Government please lay before the Council any information that may be available as to the importation of labour from other provinces for the purpose of carrying out public works?

The information asked for may please be given under two heads—

(a) the number of labourers imported;

(b) the principal sources from which it is obtained?

The Honourable Mian Sir Fazl-i-Husain: The honourable member is informed that the requisite information is not available at present. Enquiries have been made from the Buildings and Roads Branch and the local Irrigation officers whose replies are awaited.

RECLAMATION OF KHIKA EXTENSION.

2998. Chaudhri Nur Din: (a) Is Government aware of the fact that Rajbaha Pir Mahal in the Lower Gugera Division, which heads out from Bhagat rest-house, requires water to irrigate about 1,600 squares of land?

(b) Is the Government aware of the fact that in Bhagat sub-division, alone 1,000 squares of land whose sale by auction is under consideration will require more water for irrigation purposes?

(c) Is the Government aware —

(i) that in spite of the fact that no water flows in Rajbaha Pir Mahal and that no water has yet been supplied to irrigate the area of land intended to be auctioned, the tail of Rajbaha Khika does not get its full supply of water;

(ii) that water supply in the whole of Bhagat sub-division is short and most of the area under rabbi crops is lying uncultivated and in the rest the crops are withering away?

(d) Is the Government aware that the land in Bhagat sub-division is of inferior quality and is sandy and requires more than its proper share of water for its crops to ripen?

(e) Is the Government also aware that in order to reclaim the area under Khika extension, water for 800 squares of land will have to be supplied by this sub-division?

(f) If the answers to the above be in the affirmative, does Government propose to consider the advisability of deferring the reclamation of Khika extension till it is satisfied that supply of water is available after supplying water to the area to be auctioned under Pir Mahal Rajbaha and sub-division Khika?

The Honourable Mian Sir Fazl-i-Husain: (a) Yes—but the total commanded culturable area is 1,180 squares and not 1,600 and water will be required for 885 squares only, as the designed intensity of irrigation is 75 per cent.

(*b*) Yes, but the number of squares available for sale of auction is not more than 300.

(*c*) (*i*) There is no appreciable shortage at the tail of the Khiki distributary.

(*ii*) There is no shortage of supply in the Bhagat sub-division which has received more than its due share. The condition of the crops in the Bhagat sub-division is comparatively good; they are not withering away.

(*d*) All the land in the Bhagat sub-division is not of inferior quality. It does not require any extra supply for raising crops.

(*e*) No; the water required for this extension will not come out of the present share of Bhagat sub-division.

(*f*) No; Government is satisfied that the requisite amount of water is available.

COMPULSORY EDUCATION IN JAILS.

2999. Chaudhri Afzal Haq : (*a*) Is Government aware of the fact that Burma Government have introduced compulsory education in their jails?

(*b*) Is it a fact that no education is given to the prisoners in the jails of this province?

(*c*) If so, will the Government be pleased to state whether they are going to introduce compulsory education in the jails of this province?

The Honourable Sir John Maynard : (*a*) Government has no official information.

(*b*) Education is given to prisoners in the Borstal Institute where youths of impressionable age are confined.

(*c*) There is no such proposal under consideration.

COMPLAINTS AGAINST THE DIVISIONAL OFFICER OF FORESTS, RAWALPINDI.

3000. Chaudhri Afzal Haq: (*a*) Is it a fact that the Divisional Officer of Forests, Rawalpindi, has been sent to Mandi State on deputation?

(*b*) Is it a fact that a deputation of several respectable persons of Rawalpindi waited upon the Chief Conservator of Forests to complain against the treatment of that officer?

(*c*) Is it a fact that the Chief Conservator of Forests promised to enquire into the complaints? If so, will the Government be pleased to say whether those complaints have been enquired into?

The Honourable Mian Sir Fazl-i-Husain : (*a*) Yes; the late Divisional Forest Officer, Rawalpindi East Division, has been sent on deputation to Mandi State.

(*b*) One respectable person of the Rawalpindi district waited on the Chief Conservator to complain against the officer in question.

(*c*) The complaint was enquired into by the Conservator of Forests, Western Circle, and was found to be groundless.

UNDER-TRIAL AND CONVICT PRISONERS.

3001. Chaudhri Afzal Haq: (*i*) Will the Government be pleased to state—

(*a*) If it is a fact that in several jails of the province under-trial prisoners and convicts undergoing simple imprisonment are

[Ch. Afzal Haq.]

forced to work by jail officials contrary to the provisions of the Jail Manual;

(b) If it is a fact that non-official visitors time and again referred the matter to Inspector-General of Prisons?

(ii) If so, will the Government be pleased to state—

(a) What steps they have taken to stop this practice; and

(b) Whether any action has been taken against any official who has been taking labour from the under-trials and convicts undergoing the simple imprisonment?

The Honourable Sir John Maynard: (a) No.

(b) A complaint to this effect was received from Hoshiarpur, but it was ascertained that the service in question was voluntary.

(ii) (a) The rules applicable in this connection are contained in paragraphs 813 (a) and 825 of the Jail Manual and the attention of jail superintendents has been drawn to the provisions of the former.

(b) Does not arise.

FOREST OFFICERS ON DEPUTATION TO INDIAN STATES.

3002. Chaudhri Afzal Haq: Will the Government be pleased to state—

(a) the name and designation of those forest officers who have been sent on deputation to Indian States;

(b) whether it is a fact that the services of any Muhammadan forest officer have not been lent to any Indian State; and

(c) whether any Indian State requested for the services of the officer of any particular community?

The Honourable Mian Sir Fazl-i-Husain: It is not practicable to answer such an unlimited question.

GRANT OF LAND TO EUROPEANS.

3003. Chaudhri Afzal Haq: Will the Government be pleased to state—

(a) the number of Europeans who have received the grant of Government land; and

(b) the purpose for which such grant was given?

The Honourable Mian Sir Fazl-i-Husain: The question being unlimited in scope, both as to time and locality, no answer is possible.

Chaudhri Afzal Haq: Am I to understand that the number of Europeans who have received Government grants is unlimited?

The Honourable Mian Sir Fazl-i-Husain: The question is, since when? Does the honourable member want us to prepare a reply beginning with the year 1845 or does he want us to give an answer from the year 1905? Surely he cannot expect Government to take the trouble of looking up the records from the beginning of the British Government in the Punjab.

Chaudhri Afzal Haq : I think, Sir.....

Mr. President : Discussion in respect of a supplementary question is out of order.

SUB-REGISTRAR, GARHSHANKAR.

3004. Chaudhri Afzal Haq : (*i*) Will the Government be pleased to state—

(*a*) if it is a fact that a Subedar pensioner has been appointed Sub-Registrar in tahsil Garhshankar, district Hoshiarpur ;

(*b*) if it is a fact that no application was invited for this post ;

(*c*) if it is a fact that the military officers who have been senior to him protested against this post being filled up by their junior ?

(*ii*) If the answers to the above be in the affirmative, will the Government be pleased to state why that post has been filled up without inviting applications for the same and also without considering the claims of senior Indian military officers ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*i*) (*a*) Yes.

(*b*) It is not customary to invite applications, but for this post there were several applicants whose claims were considered.

(*c*) Government is not aware.

(*ii*) Does not arise.

CERTIFICATES FOR APPEAL TO HIGH COURT.

3005. Chaudhri Afzal Haq : Will the Government be pleased to state—

(*i*) the number of applications made to the present District Judge of Jullundur during his tenure of office for the grant of certificates to appeal to the High Court on the point of custom ; and

(*ii*) the number of cases in which certificates were granted ?

The Honourable Sir John Maynard : (*i*) 40.

(*ii*) None.

APPLICATIONS FOR REVISION IN CRIMINAL CASES.

3006. Chaudhri Afzal Haq : Will the Government kindly state—

(*i*) the number of applications for revision in criminal cases made to the present Sessions Judge of Jullundur during his tenure of office ; and

(*ii*) the number of such applications referred to the High Court ?

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

REVENUE ASSISTANT OF JULLUNDUR.

3007. Chaudhri Afzal Haq: Will the Government be pleased to state if it is a fact that the present Revenue Assistant of Jullundur has never undergone settlement training and had also never before been entrusted with the duties of a Revenue Officer? If so, will the Government please state why this digression from the general rule has been made?

Mr. J. M. Dunnett: (1) Yes.

(2) There is no such rule.

SARDAR GURDAYAL SINGH, TREASURY OFFICER, HOSHIARPUR.

***3008. Chaudhri Saadullah Khan:** Is Government aware of the fact that Sardar Gurdayal Singh, Treasury Officer, Hoshiarpur, is head over ears in debt and there are many execution petitions pending in different courts against the said Sardar? If not, does the Government propose to enquire into the matter?

Mr. J. M. Dunnett: (*i*) No.

(*ii*) In view of the fact that honourable member has made himself responsible for the statement contained in the question, Government will make enquiries on the subject.

Maulvi Mazhar Ali, Azhar: On a point of information, Sir, may I ask why this fact that the honourable member has made himself responsible for the accuracy of the statement contained in the question has been specially mentioned in the case of this question when it has not been done, so far as I understand, in the case of other questions?

Mr. President: Will the Secretary to the Council please explain the point?

The Secretary: The practice of giving this note has recently been started, but this note has not been given in this case for the first time.

Chaudhri Afzal Haq: May I know whether the Council office gave any information to the Government that the honourable member has taken responsibility as to the accuracy of the statement?

The Secretary: Yes. Such information is given in every case.

THAKAR FAKIR CHAND, TAHSILDAR, PHILLAUR.

***3009. Chaudhri Saadullah Khan:** (*a*) Is it a fact that Thakar Fakir Chand, Tahsildar, Phillaur, brought two pigs in the month of December 1925, and distributed them among his friends and the place chosen by the Tahsildar for cutting the same was the Government buildings at Phillaur?

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* (The honourable member has made himself responsible for the accuracy of the statement contained in the question.)

(*b*) Is it also a fact that on an enquiry by the Deputy Commissioner, Jullundur, the said Tahsildar has admitted the facts?

(*c*) Is the Government aware that this incident has caused a great sensation among the Muslim public of Phillaur tahsil and especially the Muslim officials of the tahsil and the Muslim public has resolved not to take water from the tahsil well and thus are put to a great inconvenience?

(*d*) What action does the Government propose to take to remove the sensation in the tahsil?

The Honourable Mian Sir Fazl-i-Husain: (*a*) It is not a fact that Thakur Fakir Chand, Tahsildar, Phillaur, took two pigs in December 1925 to a Government building open to the public. He took three pigs to his residential quarters which is a Government building, but used entirely for the residence of the Tahsildar.

(*b*) The Deputy Commissioner made an inquiry from the Tahsildar but found that the pigs had not been taken to any Government building open to the public.

(*c*) No such sensation has been caused and the well is in use.

(*d*) There is no sensation to be removed.

Chaudhri Saadullah Khan: Is it known to the Government that the question as it appears in the agenda does not contain the exact words which were contained in the original sent by me?

Mr. President: Under my supervision, the office of the Legislative Council is charged with the duty of correcting all questions and giving them the proper shape.

Chaudhri Saadullah Khan: But is the office allowed to change the sense of the question?

Mr. President: Was not the question in its improved form communicated to the honourable member and did he object to that question being put in the form suggested by the office?

Chaudhri Saadullah Khan: No, Sir.

Mr. President: I understand that the question as corrected and admitted was communicated to the honourable member and it was left to him to object to it or not. Evidently he did not object.

Chaudhri Saadullah Khan: The question as put here was not communicated to me. It was only noted that I should take responsibility for the accuracy of the statements contained in the question.

Mr. President: The honourable member having adopted the question as his own and put it to the Government to be answered is estopped from pursuing the point further.

UNIVERSITY TRAINING CORPS.

3010. Professor Ruchi Ram, Sahni: (*a*) Is it a fact that the demand of University students for admission to the ranks of the University Training Corps far exceeds the limits at present imposed on the numerical strength of the corps?

(*b*) If so, do the Government propose to take steps for doubling the sanctioned strength of the University Training Corps in this province?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

MUSLIMS IN THE FOREST SERVICE.

3011. Chaudhri Afzal Haq: (*a*) Will the Government be pleased to state —

(1) (*i*) total number, and

(*ii*) percentage of Hindus, Muslims and Sikhs in the Provincial Forest Service and on the Rangers' list separately; and

(2) the number and percentage of Hindus, Muslims and Sikhs that have been —

(*i*) recruited direct to the Provincial Forest Service; and

(*ii*) promoted to the Provincial Forest Service from the Forest Rangers during the last fifteen years?

(*b*) (*i*) Will the Government be pleased to state the reason for the poor percentage of Muslims in the Provincial and Forest Rangers' Service?

(*ii*) Is it a fact that capable Muslims are not available for direct recruitment or promotion from the Forest Rangers to the Provincial Forest Service?

(*c*) (*i*) Were all the non-Muslim Forest Rangers promoted to the Provincial Service senior to the Muslim Rangers in regard to the service and educational qualifications?

(*ii*) How many Muslim and non-Muslim Forest Rangers were disqualified and reduced to Forest Rangers after they had been promoted to the Provincial Service?

(*d*) Is it a fact that —

(*i*) the claims of better qualified Muslim Forest Rangers have been ignored; and

(*ii*) under-graduate non-Muslims have been taken direct for Provincial Forest Service during the last five years?

(*e*) Have the Government considered the advisability of stopping the recruitment of non-Muslims for Forest Rangers and Provincial Service until the deficiency of Muslims in both the services is made up? If so, what steps have been taken in this respect?

(*f*) (*i*) Is it a fact that Muslim Forest Rangers have been posted and transferred to Bushahr Forest Division and not to Kulu for the last 12 years?

(*ii*) Will the Government be pleased to state whether the facilities of medical aid and caste prejudices of people against Muslims are identical at both the places, Bushahr and Kulu?

(*iii*) If the reply to (*i*) be in the affirmative, will the Government be pleased to state the reasons for posting Muslims only in Bushahr and not in Kulu?

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

GOVERNMENT'S DEMANDS FOR GRANTS.

EDUCATION (RESERVED) GRANT.

The Honourable Sir John Maynard (Finance Member): Sir, I beg to move:—

> "That a sum not exceeding Rs 6,94,500 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Education (Reserved)."

In doing so, I wish to remove very briefly certain misapprehensions regarding reserved education. The first point that I want to make quite clear is that no distinction is drawn in regard to fees or scholarships or any other matter between Europeans and Indians who receive education in these European schools. The second point is this. It was explained some days ago in this Council by the Director of Public Instruction that the impression which apparently prevails that the *Ghora Gali* school was costing us 3½ lakhs was an incorrect impression. He gave details showing that considerable reduction had to be made on account of the training classes for which the Government of India had originally paid, that a further reduction was to be made on account of fees received from pupils and that the actual cost was something like Rs. 50,000 per annum. Unfortunately a statement has subsequently appeared repeating the error and stating that the cost is 3½ lakhs. I therefore desire to take this public opportunity of denying that statement.

Mr. President: The question is—

> "That a sum not exceeding Rs. 6,94,500 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Education (Reserved)."

The motion was carried.

EDUCATION (TRANSFERRED) GRANT.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Education): Sir, I beg to move:—

> "That a sum not exceeding Rs. 1,31,46,000 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Education (Transferred)."

Mr. President : The question is—

"That a sum not exceeding Rs. 1,31,46,000 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Education (Transferred)."

Sardar Jodh Singh (Sikh, Urban) : Sir, generally honourable members begin to speak on motions for reductions and therefore they criticise particular items. I think when the honourable members appreciate the work of the department, they should also express their views on the general motion. With that end in view, I seek your permission to say a few words. The department of education has issued a report which is very encouraging, because in the last four years on the average 70,000 pupils have been added to the rolls of the primary schools. Besides this addition in number, a laudable effort has been made to train teachers . . . . .

Malik Firoz Khan, Noon : On a point of order, Sir, is not the present speech to be made at the time of the general discussion of the budget. Is this the proper time to make such a speech ?

Sardar Jodh Singh : A system of training teachers very cheaply has also been introduced by the education department. It is very commendable that training classes have been attached to high schools, and therefore expensive normal schools at every centre have been done away with. Not only arrangements have been made for adult education, but also night schools . . . . .

Malik Firoz Khan, Noon : I again rise to a point of order. Is the honourable member within his rights to make this kind of speech just now ?

Mr. President : Whenever a motion is introduced and put from the chair it is open to debate and discussion by the members of the Council and they may make speech either for or against the motion.

Sardar Jodh Singh : I was saying, Sir, that not only the number of primary schools has risen, but arrangements have been made for adult education by means of night schools. One more satisfactory feature of the report is the addition of libraries in the Lower Middle and the Upper Middle Schools and I attach great importance to these centres of education in the villages. In all respects, therefore, the report speaks of the excellent progress made in education in this province. But I have to make one criticism here. The education department manages its own schools and now an attempt is being made to open industrial schools. They are being managed by the department of industries and there are also certain technical schools which also come under the supervision of the other departments. May I ask the Government which consists of so many departments whether it is not a waste of money to have so many branches going apart because in the case of industrial schools also arrangements will have to be made for inspection and in the case of technical schools also these arrangements have to be made. Will it not be better and more economical and will it not also conduce to a more comprehensive scheme of education being introduced into the Punjab—because at this juncture we are all feeling tired of mere literary education to be given in our colleges—if the whole of education general, industrial and technical is combined under one head ? There is another point on which I want to make one or two observations. On page 22 of the education report, the Director of Public Instruction has explained the

principles which guide the promotions of officers in his department. Yesterday, I was twitted for raising a debate on the evil of communalism but in that report we find that besides other qualifications, "the interests of the several communities are also important, for intimate contact and sympathy with the people concerned may well be of greater value than mere attainments". Thus the Government departments while making appointments do think of communities and whilst on this point, may I put a few questions to the Director of Public Instruction? The number of Hindu headmasters in Government schools has increased from 15 in 1921 to 25 in 1925, whereas . . . .

Mr. President: Order, order. I allowed the honourable member to speak on the motion and not to raise a discussion upon the report of the education department.

Sardar Jodh Singh: I did not mean to raise a discussion on the report and as a matter of fact these figures that I want to quote are not in the report. Whilst the number of headmasters of the Muhammadan community has risen from 8 to 26 the number of Sikh headmasters remains stationary; that is 8 in 1921 and it is 8 in 1925. On this point, therefore, I think I have a right to expect that when communal considerations are present in the minds of the Government in making appointments, the claims of the Sikhs will not be overlooked. There is no Sikh Deputy Inspector of Schools at present and though several appointments have been made in the newly started intermediate colleges, they have all gone predominantly to one community and no Sikh got any o the appointments. I do not grudge the appointment of members of other communities; but what I simply say is that if communal considerations are to prevail the Sikhs should get a fair share of these appointments also. With these remarks I resume my seat.

Sardar Tara Singh [Ferozepore (Sikh), Rural]: Sir, I have taken this chance of speaking on certain suggestions that I want to make to the honourable the Director of Public Instruction instead of moving the amendment that stands in my name.

Mr. President: The honourable member is not in order in doing so. I have explained more than once in this connection that the honourable members should always observe the "rule of anticipation". That is to say, they should not anticipate a matter appointed for the consideration of the House, or of which notice has been given.

Sardar Tara Singh: I am not going to move my amendment.

Mr. President: If the honourable member wishes to speak on the motion which has been moved he is welcome to do so, but if he wants to make any specific suggestions on motions which are yet to follow, the proper occasion for that would be when those motions are moved.

Sardar Tara Singh: Sir, in moving my amendment I wanted to draw the attention of Government. . . . . .

Mr. President: Does the honourable member wish to speak for or against the motion?

Sardar Tara Singh: I want to speak on the demand as a whole.

Mr. President: He is welcome to do so.

Malik Firoz Khan Noon : I rise to a point of order. In Mr. Butler's time, the President used to find out if a motion was at all to be disputed by any body. He used to find out how many members wanted to speak in favour and how many against the motion. If there was no one who wanted to oppose it, there was no discussion on it.

Mr. President : I am very thankful to the honourable member for bringing to my notice the valuable ruling of my illustrious predecessor, but I think the honourable member has not seen the list of seventeen motions which have been tabled as amendments to the demand for grant now under consideration.

Sardar Tara Singh : Sir, my intention in speaking on this motion was to speak in support of the grant as a whole and to draw the attention of the Honourable the Director of Public Instruction to certain things which have come to my notice. It is true that education has become comparatively cheap and has been brought to the door of poor people in backward areas. I would make a request to the Director of Public Instruction that when provincialising schools he will see that agricultural classes are attached to those schools. My object in making this suggestion is that generally speaking the number of boys going to college after passing their Matriculation is proportionately small and many of them take to employment or revert to household affairs. It will be only in the fitness of things. . . .

Mr. President : I am afraid I shall have to ask the honourable member to discontinue his speech. The point raised by him has been raised by another motion ; so he cannot be allowed to waste the time of the House.

Mr. E. Maya Das (Non-official, nominated) : Sir, I beg to move—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 9,000—Grant to Punjab University for physical education."

In doing so it is not my intention to pass any vote of censure but to discuss certain matters. On page 249 of the Budget near the bottom of the page appear the words "Grant to Punjab University for physical education (R) Rs. 9,000." I understand that this letter R means that it is going to be a recurring grant. First of all, Sir, I would congratulate the Government that they have put aside this money as soon as they had the funds to do so for the improvement of physical culture. We know that in other countries large sums of money are being spent in this line. I was quite surprised when I learned that last year in the United States of America over a crore of rupees were spent on things relating to physical culture. As to why the figure 9,000 has been selected I do not know. In round numbers one could have expected it to be Rs. 10,000, but perhaps for this there may be some explanation. The University has so far been holding sports and their expenditure for the past five years has not been Rs. 9,000. I mean in no particular year has it been Rs. 9,000 and therefore this sum of Rs. 9,000 will be a very welcome addition to their department for carrying on these sports. But, Sir, I wish to suggest that if possible certain other things in the matter of physical culture may be also considered. There is the movement for physical culture in rural areas. There are the Olympic sports. We want to find out what material there exists in the villages and we wish to train them so that it may be possible for them to compete in the Olympic events. For this purpose machinery has to be created and in order that the activities of these bodies

may not overlap and that no money and energy be wasted it seems to me that the creation of a central department to direct the energies and the work of these three departments would be very useful and I would suggest that Government may take this matter into consideration. With these words I move my amendment.

Mr. President : Grant under discussion, motion moved—

"That the grant be reduced by Rs. 1 with respect to the item of Rs. 9,000—Grant to Punjab University for physical education."

The question is that that motion be adopted.

Professor Ruchi Ram Sahni (Punjab University) : Before I venture to speak, I rise to a point of order. I am put down for a similar amendment, amendment No. 3. Should I speak on this motion because it is in identical terms ?

Mr. President : Do.

Professor Ruchi Ram Sahni : It is an anomaly, Sir, of our constitutional procedure here that we should propose a reduction in the grant when we do not mean anything of the kind. Speaking for myself, Sir, I would be delighted if the grant were very much greater than it is. The University has been holding annual sports tournaments and has been able to do, through these tournaments, very useful, very valuable work in the direction of the physical culture of its students. As a representative of the University, I feel proud of the record which the Punjab University has been able to achieve. It will be news possibly to some of the honourable members here that, out of the fourteen provincial records, ten are held by the students of the Punjab University (Hear, hear). Again, Sir, in the recent Olympic games contests and in the Punjab University Sports Tournament seven provincial records were broken, and University students are responsible for four of them. One of the finest records that was broken—a record that was held perhaps for something like 1- years—was by a young man, Mr. Dev Raj Narang, the son of the honourable gentleman who usually sits on my left but who is absent from his place to-day. Then, another fine record which is also to the credit of a University student is that of Mr. Lal Shah for half mile and ten mile races. It is believed that the records of these two young men the one for putting the weight at a distance of 40'-1" and the other for half mile and ten mile race it is believed that these two records are all-India records and not merely provincial records, although we do not know quite certainly at the present moment whether they are really all-India records. In these respects and in many other ways, our University through the Olympic games tournament and through its own tournament has been able to do a great deal of good in the direction of the physical culture or the physical education of our young men, and the University authorities deserve to be congratulated on the results they have so far achieved. Well, Sir, what I should like to see done is that some attention be given to the physical culture of young men all over the province and not merely of those who receive their education in University colleges and University institutions of various kinds. My honourable friend who moved this amendment has said that since last year a very useful innovation was made in the formation of tahsil and district societies for the physical advancement of the people, which were started in certain districts and in certain tahsils. I should

[Pro. Ruchi Ram Sahni.]

like that movement to be extended all over the province. I should like, Sir, the movement to be extended to school students as well as to those who have not the benefit of receiving instruction in schools. I do not know why the University in asking for this grant has limited itself to the colleges at Lahore alone. Why should not the colleges in the mufassil enjoy the benefit of a grant of this kind just like the colleges at Lahore? In one word, what I am aiming at is that the scope of our activities in the matter of the physical education of the youth should be very much widened. It should be an all-Punjab movement and for that purpose it would be necessary, as my friend the honourable mover of the reduction pointed out, to have a Central Board on which may be represented the Punjab University, either directly or perhaps more fittingly through the Punjab University Sports Tournament Committee. Two representatives of that committee may, for instance, be sent to the Central Board. The Provincial Olympic Games Committee may similarly have its representatives on the Central Board. Other important bodies representing the various divisions in the Punjab, may also be represented on that board. During the last few years all civilised countries have taken a leap forward in the direction of the physical culture of their youth. All those countries have awakened to the great importance of physical culture. Here, Sir, is a truly nation building work. If there is any nation building department this should be its first and foremost work. A sound mind in a sound body has been the basal doctrine of all education. We should build on a sound physical frame the mental, moral and spiritual activities of our youth. I need not repeat the well-worn saying that "Waterloo was won on the playing fields of Eton." In all civilised countries, in Great Britain, in the United States of America and elsewhere, associations for physical culture are being formed. The National Playing Fields Association of Great Britain, which was started a few years ago under the patronage of His Royal Highness the Duke of York, has already done most useful work. In America and in other countries similar associations have been started under various names. We should also have similar associations in our own country for the physical advancement of our youths. I do not want to sketch out the details of the scheme, of this Central Board, but I would say that the cultural development of the province as a whole should be kept in view, by organising a Central Board on which may be represented Divisional Recreational bodies and educational organisations which might exist for the physical advancement of the people. Something of that kind needs doing and needs doing immediately. If necessary, the department of education or rather, I should say, the Ministry of Education may come up to this Council again at the next session and ask for a larger supplementary grant if need be. It will be necessary to provide a very much larger sum of money, perhaps double or even more than the University has asked for at present. If the Ministry of Education comes up with a larger demand for grant, I am sure the House will with one voice vote that grant at once.

Khan Bahadur Shaikh Abdul Qadir [West Punjab Towns (Muhammadan) Urban]: Sir, it is not necessary for me to take up the time of the House any longer by speaking at length on this motion. All that I want to say is that I am very much in sympathy with the observations made by the two honourable members who have preceded me. This is a subject to the importance of which I referred in the speech that I made on the occasion of the general discussion of the budget and I think it is certain

necessary that this grant should be higher than what it is. Later on the Government may see its way to raise this grant by asking for a supplementary grant. For the present the Punjab University, for whom this grant is meant, working in common with the Olympic Games Committee, may try to extend the movement which it has taken in hand, so far as the colleges in Lahore are concerned, to colleges in out stations and may even encourage physical culture in a wider circle by organising certain sports on important occasions, such as fairs, under the auspices of the University and the Olympic Games Committee or any other committee that may be formed for the purpose.

Mr. President : Grant under discussion, motion moved—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 9,000—Grant to Punjab University for physical education."

The question is that that motion be adopted.

The motion was lost.

(At this stage Mr. President called on Sardar Jodh Singh to move his motion but he was not in his seat and so Mr. President passed on to the next motion, when, Sardar Jodh Singh coming to his seat.)

Sardar Jodh Singh : May I move my motion, Sir?

Mr. President : When the call is made from the chair if an honourable member does not rise to speak or move his motion he loses his right to do so subsequently.

Sardar Randhir Singh : [Sialkot-*cum*-Gurdaspur (Sikh) Rural] (Urdu) : Sir, I may make it clear at the very outset that I do not propose to pass a vote of censure on the Education Department which is doing a great deal of good to the province. My object, Sir, is only to draw the attention of the Government to the two great necessities of the province so far as education of the people is concerned.

Sir, undoubtedly much has been said both by the public and the Government about the promotion of the cause of primary education in the rural areas although very little has been actually done so far in this direction. But with that question I am not at present concerned. What I mean to impress on the Government is whatever little has been done, that has proved harmful in a certain way rather than that should have proved useful. The number of classes in the primary schools having now been reduced to four while there used to be five before, the students that come out of these schools after completing the course, do not find themselves able to read and write and keep accounts. This is a great loss which the rural population has suffered on account of the policy of compulsory primary education where it has been introduced. Previously those who had completed their five years' course could easily read and write and also could keep accounts and therefore I would request the Honourable the Minister for Education that he would kindly see that the old number of five classes in the primary schools is restored at least in areas the students of which do

[Sardar Randhir Singh.]

not go up for higher education. If the number of classes will be allowed to remain as it is then I might say that no good would have accrued to the rural population by the introduction of the policy of compulsory primary education and the time and energy spent in the primary schools with four classes would have been wasted.

The second great necessity of the province is that some radical change is badly wanted in the system of education that has been so far pursued since the advent of the British rule. If I mistake not this system was introduced with a view to produce clerks who might be employed by the Government in its various departments. That object I think has been fully achieved and there is now a large majority of educated young men wandering without any employment. They do not know how to earn their livelihood because the right sort of education was not imparted to them. The question of unemployment amongst the educated young men is growing serious every day and it is high time that some steps should be taken to provide our young men with the right sort of education by which they may be able to earn their livelihood.

I should have liked to say something about the Chiefs College at Lahore, but in view of the fact that we have already made a representation to the Honourable the Finance Member on the subject, as my honourable friend Malik Firoz Khan, Noon, knows it, I refrain from touching that point here.

Before I resume my seat I would again request the Honourable the Minister for Education that he would favourably consider the suggestions I have made.

(At this stage Mr. President passed on to the next item, when Sardar Jodh Singh rising).

Sardar Jodh Singh: Sir, are we not allowed to speak on this motion?

Mr. President: As Sardar Randhir Singh has not moved his motion the chair cannot propose it to the House. The question is:—

"That a sum not exceeding Rs. 1,81,46,000 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Education (Transferred)."

The motion was carried.

MEDICAL AND PUBLIC HEALTH GRANT.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Education): Sir, I beg to move:

3 P.M.

"That a sum not exceeding Rs. 67,67,000 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Medical and Public Health."

Mr. President: The question is:—

"That a sum not exceeding Rs. 67,67,000 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Medical and Public Health."

Maulvi Mazhar Ali Azhar [East and West Central Towns (Muhammadan), Urban] (Urdu) : Sir, I beg to move :—

"That the total grant be reduced by Re. 1."

Sir, as I made it clear when giving notice of this amendment, my object in moving it is to impress upon the Government the need for patronization of indigeneous systems of medicine by which I mean of course the Unani and the Ayurvedic system alongside the western system of medicine which was introduced into this country with the advent of the British rule and which took its birth and developed in the west.

Knowing as we do the general physical health of the people of this province and other allied circumstances, no one, including of course the Government, can claim that the existing arrangements for looking after the sanitation and general health of the people are sufficient and that they need no supplementing. The different troubles and diseases from which the people suffer every now and then and their unceasing hue and cry are a clear proof of the fact that the medical facilities so far provided by our Government are neither sufficient nor satisfactory. I think the Government has also nothing to say against this. Lest I should be misunderstood I might say that I do not mean for a moment that the western system of medicine should be ignored or that it should be replaced by indigenous systems. I rather think it to be a good system and I am one of the admirers of its usefulness. I recognise that the western system of medicine has done much good to the province. But this I must say that it is not sufficient in itself to meet the requirements of the people. Therefore arrangements should be made as soon as possible to revive and improve the Unani and the Ayurvedic systems of medicine. They should no longer be treated indifferently as has been done in the past particulary when we are sure that as soon as they are revived very good results will be achieved. The three systems working together will leave no room for complaint when each by itself has been considered to be sufficient to meet the requirements of the people at one time or other.

This reminds me of another reason why it is essential to revive and improve the Unani and Ayurvedic systems of medicine. There is a large majority of the people in this province which is very poor. They find it very difficult, for them to buy western medicines because of their high prices. The Unani and Ayurvedic medicines are, on the other hand, very cheap. Besides there are persons and their number is not negligible, who for some reason or other, are averse to the use of western medicines. May be they are narrow-minded. But the fact is there and it cannot be ignored. It is therefore, necessary that these indigenous systems should be revived and improved without further delay. The other provinces have already felt this need and in Madras a college also has been opened. I am sure our Government will not lag behind.

Mr. President : Grant under discussion, motion moved :—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

Lala Mohan Lal [North-East Towns (Non-Muhammadan), Urban] (Urdu) : Sir, I rise to support the motion before the House. The Unani and Ayurvedic systems of medicine have been in vogue in this country

[Lala Mohan Lal.]

from time immemorial. While there used to be only uneducated Vaids and Hakims in the past, there has recently grown a fairly large number of educated Hakims and Vaids. The main reason why I support this motion is that the Unani and Ayurvedic medicines suit the temperament of the people of this country. They are cheap as well, much cheaper than the western medicines. While one dose of a western medicine for a certain disease costs 12 annas and sometimes one rupee, a dose of Unani or Ayurvedic medicine for the same disease costs not more than two or three pice. Therefore it is not unreasonable to ask the Government that an enquiry should be made into the conditions of Unani and Ayurvedic systems of medicine and as soon as it may be possible, colleges should also be opened here in this province in which these systems should be taught. I remember that Mian Sir Fazl-i-Husain while replying to the debate on a resolution in which this very question was involved, had said that there was already a college of this type in Delhi and that it did not appear necessary that another college of the same type may be opened in the Punjab. He further said that there existed no demand for a college in the Punjab and if one were opened, it would adversely affect the present college in Delhi. But, I submit, Sir, that the college in Delhi, if it is of any use, is of use to the people of Delhi and not to the people of the Punjab. That does not meet our requirements.

I have only one thing more to say and that is that the Government should encourage those bodies who have opened such colleges by giving them liberal grants. Everybody knows that there exists a class in the D. A.-V. College, Lahore for Ayurvedic. Similarly there is a Unani class attached to the Islamia College in which Unani System of medicine is taught. I may here say that the Inspector-General of Civil Hospitals was pleased to visit these institutions last year at my request. I had then also requested him that steps should be taken to standardise these medicines and if I mistake not certain amount was also provided last year for this purpose. I do not know what has been done so far and how the matter is proceeding. However I hope that experiments are being made in the Medical College. I am glad to inform the House that arrangements have since been made in the D. A.-V. College to accommodate in-door patients, although I cannot say whether similar arrangements have been made in the Islamia College. But all these things require money and I would again request the Government that it should encourage such institutions by giving them liberal grants.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Education) (Urdu) : Sir, there appears to be a general impression amongst the members that the Government is paying no attention to the claims of the indigenous systems of medicine. To remove that misunderstanding I may at once say that these claims are receiving due consideration from the Government. That it is so will become clear from what I will say presently. Something has already been done in this direction and something more is proposed to be done in future.

In the first place two different classes in the D. A.-V. Ayurvedic College and two different classes in the Islamia College have been recognised. The students after having passed the examination held in connection with any of these classes, are considered fit for employment in the Municipal Committees and District Boards and these local bodies have been allowed to engage any such men if they require their services. Similarly four classes of Hakims and Vaids in the Delhi College have been recognised. Besides that a sum of money was provided in the budget last year for the purpose of

making research in Indian drugs. To achieve that end an I. M. S. Officer was deputed for the work and sent to Calcutta to study the subject with the experts of that place and then to submit his report. After studying there for a fairly long time, the said officer has since submitted his report which is now under consideration. That is not all. Another Assistant professor has recently been sent to Calcutta with the same object in view. He is still there and is engaged in research. The members will be interested to learn that on the basis of the material before him the Inspector-General of Civil Hospitals has drafted a scheme suggesting what steps can be taken to encourage the Unani and Ayurvedic systems of medicine. That scheme will soon be under the consideration of the Government. I think I have made it clear that the claims of the indigenous systems are not being ignored.

In conclusion I may also assure the House that any concrete suggestions received from the members will receive very careful consideration by the Inspector-General and by myself.

Mian Abdul Aziz [Lahore City (Muhammadan,) Urban] (Urdu): Sir, I would say a few words in connection with the question under consideration. We accept the assurance given by the Honourable Minister for Education but at the same time we request him that he should, not, according to the old Persian proverb.—

تا تریاق از عراق آورده شود مار گزیده مرده بود

(By the time the antidote for snake-bite is received from Mesopotamia the person bitten by snake will be dead).

postpone this matter for an unlimited time. He has just remarked that an officer of the medical department has been sent to Calcutta for making observations in connection with the indigenous systems of medicine. Sir, we do not require mere reports and paper work but want some practical work to be done in this direction. I hope the Government would see its way to do the needful. Sir another point to which I would draw the attention of the Government is that something must be done to protect the people from the harm that is done to them by quacks. I say some definite measures must be adopted to deal with them. Certain questions were put in the last Session of the Council about Homeopathy, and about those self-constituted experts in this branch, who pose themselves to be certificated doctors. These certificates are from unauthorised persons or societies. I sent a note with a pamphlet of the Northern India Homeopethic Society with a request that attention should be paid to have it properly controlled and constituted so that quacks may not practice in killing people according to نیم حکیم خطرہ جان I draw the kind attention of the Inspector-General of Hospitals to this. In conclusion, Sir, I again request the Government that this matter, being an important one should not be left hanging fire.

Maulvi Mazhar Ali Azhar [East and West Central Town (Muhammadan), Urban] (Urdu): Sir, I accept the assurance given by the Honourable Minister for Education. I would urge only one or two points. Sir I am aware of the existence of medical classes both in the D. A.-V. and the Islamia Colleges. As a matter of fact I know this as well that the local

[Maulvi Mazhar Ali Azhar.]

bodies are allowed to employ those persons as Hakims or Vaids who have qualified themselves in these institutions. But, Sir, this statement alone does not satisfy me. I hear that only the Hakims or Vaids of seven years standing are to be employed by the local bodies. This restriction so far as I know is there. I am at a loss to understand why this restriction is imposed on Vaids and Hakims when no such restriction is imposed on the students of the Medical College. This has also been said that there is a Tibia College at Delhi. But, Sir, this does not prevent us from having a similar College here in the Punjab just as it had not prevented the people of Benares and Lucknow from having similar colleges there. Hakim Ajmal Khan does not object to our opening a similar college in the Punjab. I would again request the Government to patronize the indigenous systems of medicine. Moreover, Sir, the Honourable Minister for Education has said that a scheme is being prepared for the encouragement of Unani and Ayurvedic systems of medicine and in connection with that there are certain proposals under the consideration of the Government. Sir, so long as we are not in a position to consider the scheme referred to by the Honourable Minister for Education we cannot express our opinion as to its expedience and reasonableness. Sir, at present we cannot definitely say what the Government proposes to do in this matter? So far as the question of encouraging the indigenous systems of medicines is concerned, let the Government take us into its confidence. If it does so we would then be able to discuss the merits of the scheme which is said to be under the consideration of the Government. Moreover we might then be in a position to offer further suggestions as well. Sir, I am grateful to the Honourable Minister for Education for the assurance he has given and for the sympathetic attitude he has shown in considering my amendment. Sir, I am prepared to withdraw my amendment but would like to hear what the Honourable Minister for Education has to say as regards the points just raised by me.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Education) (Urdu): Sir, the honourable mover of the amendment while exercising his right of reply has raised two points. I feel it necessary to reply to them. Sir, so far as I am aware no such restriction as is referred to by the honourable mover is imposed on those Hakims or Vaids who have qualified themselves in the D. A.-V. and the Islamia Colleges or in the Tibia College, Delhi. That restriction I think exists only for those practitioners who have not qualified themselves in these institutions but have learnt this profession under the guidance of qualified Hakims or Vaids. Again the honourable mover has asked as to what the Government proposes to do in this matter. Further he wants to know the particular scheme which is soon to come under the consideration of the Government, so that he might be in a position to discuss its merits. Sir, for the present I cannot give any definite information to the honourable mover as to the scheme or suggestions made in connection with it. I myself do not know much about those suggestions as yet but I am prepared to lay them before the Standing Medical Committee of this House. Those suggestions may be discussed and criticised in that committee. In the end I again assure the honourable members of this House that any further suggestions made by them in connection with the scheme referred to by me would receive close and careful consideration on my part.

Maulvi Mazhar Ali Azhar: Sir, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban]: Sir, I beg to move—

"That the total grant be reduced by Re. 1".

Sir, the demand for grant for public health and sanitation generally comes at the end and therefore comes under guillotine. But to-day luckily we have got a chance to speak on this important question. We find, Sir,.....

Mr. President: May I ask the honourable member what constitutional issue he proposes to raise by the one rupee cut proposed by him?

Shaikh Muhammad Sadiq: I want to raise the question of policy as regards the action taken against epidemics and general sanitation and everything else. Now, Sir, the epidemic of plague has again broken and the villages are being devastated. This plague has been ravaging this unfortunate country for the past 30 years. Up to this time neither the worthy doctors nor the Unani doctors have been able to find a real remedy for this disease. Yet it is absolutely necessary for us to start a campaign against this epidemic. Are we sure that all that is necessary to control this disease has been done? In this matter the Government has been following a policy of *laissez faire*. Government seems to be imbued with fatalistic tendency. I think that in the case of every town or district Government should utilise the services of doctors trained in such a way that as soon as the epidemic breaks out they should be able to tackle with it immediately. The Government should not wait until the epidemic breaks out and then engage the services of doctors. During the prevalence of the epidemic in Amritsar what they did was to engage the services of a doctor at that time. That was not sufficient, because all doctors are not trained for that purpose. What I want is that Government should husband all its resources and should keep in each town or area a certain number of doctors trained for this purpose so that when the epidemic breaks out they can immediately attend to it. Now the British Government which has spent millions and millions in putting down the Germans should do something to kill the germs. It seems that the germs are withstanding the assault of the Government more than the Germans. Otherwise I am sure the Government would have found some means to overcome this foul disease. Now that the medical department is run by an Indian Minister with the assistance of an Indian Secretary and an Indian Inspector-General of Hospitals, it is high time that we should take some effective steps to combat this disease.

Now, Sir, what do we find in the rural areas. There is hardly any drainage in the countryside. You find dirty lanes absolutely water-logged without a single nalla which runs from village to village taking out the surplus water. The poor villagers who pay taxes more than anybody else do not get enough benefit in their favour from gentlemen sitting opposite.

The Honourable Sardar Jogendra Singh: Is the honourable member aware that the Rural Sanitary Board has been formed to take up these questions?

Shaikh Muhammad Sadiq: I am glad that the Board has been formed. I am still more glad if it really does good work. I hope the Board will not be starved on account of want of funds. I want enough funds should be placed at its disposal so that it may work efficiently. What is the

[Sh. Muhammad Sadiq.]

use of having a Board with a few members of the Council and certain Ministers and the Inspector-General with no money? The Board cannot tackle with these nallas without money. For this reason I want to urge the able Finance Secretary to allot more money in the next budget than he has allotted this year.

Another point that I wish to refer is the springing up of new towns. Naturally on account of the reforms Government has given greater responsibility to municipalities. But we have to see whether the municipalities are realising their responsibility or not. We find that all around big towns new small towns are springing up. These are really the death traps for poor people who are living there. Is it not time that Government should move in the matter and make a reformation? When new houses are built there must be allowed a space of 15 to 20 yards between two opposite houses. When the new small towns spring up, arrangements should be made for nullas, pucca roads, water facilities and so on. Now in this wentieth century new towns are built which are narrower than those constructed 500 years back. We people are helpless in this matter. It is for Government to move in the right direction and bring out a new Act which should oblige the municipalities not to allow these small towns to spring up in their areas unless sanitary arrangements are made for them. If such small towns do spring up, force the municipalities to give them roads, lighting, water and sanitary requirements which are necessary. There is no use on the part of the Government to say that these matters rest in the hands of the municipalities. If the municipalities are not doing that efficiently Government should take charge of these things. Self-Government does not mean spoiling the health of the people.

Another question that I want to raise is about female doctors. We find that no big effort has been made by Government and the public to have more female doctors. It is high time that we should move in the matter. Infantile mortality is increasing by leaps and bounds. It is high time that this should be checked and for this purpose we should have female doctors. In the absence of these doctors the lot of our ladies is unfortunate because they cannot go to the hospital and they do not want to be treated by male doctors, because we observe strict *purdah*. It is time that Government should set apart enough funds for obtaining all classes of female doctors. I agree with Sardar Tara Singh that the lady doctors should be chosen from all classes, Hindus, Muhammadans, Sikhs and Christians.

The next point I wish to notice is that the sanitation in cities is very bad. I am a Municipal Commissioner, yet I have to request the Government just as I have discussed in a previous speech to have an efficient control over municipalities. Government must force the municipalities to make such a law that it will be impossible for the municipalities to evade the rules. If the municipalities cannot attend to their responsibilities properly in that matter Government should take the matter in hand and charge the municipalities the sum it requires.

Mr. President: Grant under consideration, motion moved—

"That the total grant be reduced by Re. 1".

The question is that that motion be adopted.

Rai Bahadur Sir Gopal Das, Bhandari [Nominated, non-official] : Sir, I have heard with great interest the speech made by one Municipal Commissioner in regard to the affairs of the municipalities. I do not agree to a great extent with the remarks made by that honourable member. The first thing he said was that Government should look into the working of municipalities. I should certainly be glad if the Government examines how the Municipal Commissioners work. It is very important to note that the municipal committee is nothing but a debating club. If the members of the municipal committee pay more attention to the vital points which affect the convenience and comforts of the public, I think something can be done to improve the health and sanitary conditions of the municipality. But if the whole time is wasted on the question whether a certain employee should get Rs. 20 or Rs. 25, then no satisfactory work can be done.

Mr. President : Order, order. It is not the municipal administration that is now under discussion. It is the general policy of Government, of course in relation to municipal committees and local boards, in regard to sanitation and public health that is the subject of discussion at present.

Rai Bahadur Sir Gopal Das, Bhandari : I bow to your decision, Sir, but I submit that my remarks cannot in any way be considered irrelevant because. . . . . .

Mr. President : Order, order.

Rai Bahadur Sir Gopal Das, Bhandari : Coming to other points which have been raised by the honourable member regarding sanitation, whatever money Government may spend year after year, unless and until there is more education amongst the rural and town people, the question of sanitation will remain a vexed one as at present. With regard to the sanitation of town unless and until we leave off our dirty habits there can be no sanitation. If you go to any town which claims to possess the best sanitation, what do you find? You will find that hardly a sweeper has swept the area clean or cleaned the drains. Is it not within the knowledge of the honourable members that drains are used as latrines? If the drains are used as latrines, can you expect that we shall be able to remove the insanitation?

Now, again sanitation depends on the way in which houses are built. If the people think that the houses should be built just like dubba without any access for air or light, can you expect any sanitation? All that I wish to say is that unless and until you remove the dirty habits of the people you cannot have good sanitation however much the Government may spend its money.

Now with regard to epidemics, I fail to understand the remarks of the honourable member. It is most unfortunate that up to this time we have not been able to find out a specific remedy to do away with plague; but the honourable member has evidently not taken into consideration the efforts made by the local bodies to combat the disease. For instance, he has not taken into consideration the fact that the best thing and the foremost thing we have to do is to kill rats. I think he will be quite pleased to hear that as many rats as it is possible to kill are killed in Amritsar. (Hear, hear). There is another question in connection with this epidemic and that is inoculation. Inoculation is a preventive of plague. But how many get themselves inoculated? Health officers are there, good serum is supplied, centres have been opened for inoculation and yet people don't care to get themselves inoculated.

[R. B. Sir Gopal Das, Bhandari.]

If you look to these district boards and municipalities, it is not due to any negligence or indifference on the part of these municipalities or district boards that the town has not improved, but it is solely due to the negligence of the people themselves. What can the Government do? It is true that municipalities have got only limited funds. My humble request to the Government has always been that more funds should be placed at the disposal of municipal committees so that they may go on with the sanitation campaign to root out cholera, plague and such other epidemics. More grants should be given to these local bodies and the Government should also exercise their control and see that this money is not wasted by any municipality or district board. The municipalities are discharging their duties at present to the extent their limited resources will allow. It is within the knowledge of honourable members that at any time the municipalities or district boards come forward to ask the Government for additional health officers, they certainly sanction them. If the people who are engaged in stamping out epidemics do want more health officers, they are certainly sanctioned. The Government cannot at all be accused of indifference or negligence. It is because for want of funds that proper progress is not made.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadans), Urban] (Urdu): Sir, much has been said about the sanitary and insanitary conditions of municipal areas. There we find metalled roads, light and sanitary arrangements and inspite of all this the urban people are not satisfied with the present municipal administration. There the sanitary conditions may be satisfactory or unsatisfactory, I leave that point aside. But, Sir, as regards the sanitary conditions of rural areas, I can say without any fear of contradiction that they are most unsatisfactory. I think that almost all of us are aware of the fact that on account of rainfall the village passages are always rendered impassable. Mosquitos breed in large numbers. There is plague or cholera or any other epidemic raging in rural areas throughout the year. Sir, in this connection mention of the activities of the Rural Sanitation Board has been made. But in my opinion so long as the present conditions prevail, it cannot do any useful work and that so far it has not been able to do any useful work. Sir, the sanitation of the municipal as well as the notified areas is in far more satisfactory condition than one obtaining in rural areas. Therefore I suggest that some village organisations should be started. So long as the villagers as a class do not realise their own responsibilities in matters connected with the village sanitation the conditions cannot improve. When the Panchayat Act was passed in 1921 it was believed that it would improve the village sanitation. But I am sorry to remark that within five years, that is, from 1921 to 1925, it has produced no satisfactory results. It is not because that there was something wrong with the Act but it is due to the fact that the Act has not been worked out carefully. I am not hopeless as yet. Try to work out this Act from to-day, and I am sure that you would find that in a short time matters have improved. Sir, in reality the district officers have not cared to work out the Act. They had certain fears. Nevertheless it is the duty of the Government to ask its district officers to work out the Act and if they are still opposed to it let the Government appoint a non-official agency for the purpose. If this is done I believe that the rural sanitation would improve to a great extent. And if the Government does not accept my suggestion, I can say that it would not be able to achieve this end even with the help of twenty Rural Sanitation Boards. I am sure there is no other method to solve this problem except to start village organisations. When in 1921 the

Congress, the League and the Khilafat workers began to impress on the people the necessity of forming panchayats, the Government came forward with the Panchayat Bill and passed it into law. With the inactivity of the political workers the Government also grew careless as to the working of the Panchayat Act. The result was that in very few places panchayats were started. Sir, I am not going to rake up the old stories but I will finish by requesting the Honourable Minister for Education that if he cares to do something for the improvement of rural sanitation let him consider seriously the suggestion of starting panchayats or village organisations in rural areas.

The Honourable Sardar Jogendra Singh (Minister for Agriculture): Sir, there is just one word that I have got to say regarding the Rural Sanitary Board which has been purposely formed to introduce sanitation in the villages. The first problem we are taking up is the problem of drainage so far as the flood affected areas are concerned. As soon as we have tackled that problem, we will be able to extend our activities in other directions also such as the cleaning of villages, conservancy, better water supply and other allied subjects. I am in entire agreement with the speaker who has just sat down that it is absolutely necessary that if we are going to make rural sanitation effective, we must have a village organization. Without village organization, it is not possible to carry on any improvement. I can assure you, Sir, that so far as the Government is concerned, we will make every possible attempt to organize village organizations to carry out village sanitation.

Chaudhri Afzal Haq (Hoshiarpur-*cum*-Ludhiana, Rural) (Urdu): Sir, no doubt a Rural Sanitation Board has been formed, but the pity is that the funds left at its disposal are quite insufficient for the purpose of improving the sanitary conditions of a vast area . . . . .

The Honourable Sardar Jogendra Singh: Government is taking up this problem as I indicated just now.

Chaudhri Afzal Haq (continued in Urdu): The Government is only taking up that problem, and it will remain under consideration for how long we cannot say . . . . .

The Honourable Sardar Jogendra Singh: It is more than under consideration. The work has been undertaken in several districts.

Chaudhri Afzal Haq (continued in Urdu): I grant that, but how can we expect the results to be satisfactory when the money at the disposal of the Board is insufficient? . . . .

The Honourable Sardar Jogendra Singh: The funds of the Government depend on the power of the people to tax themselves. If more funds are provided, the work can be extended. It is a question of taxation.

Chaudhri Afzal Haq (continued in Urdu): Sir, I do not quite understand what the Honourable Minister means by that. Am I to understand that the taxes that the rural population is already paying are not sufficient? I do not think he meant that because the rural population is already overburdened by taxation. The Government has always been granting large sums of money for urban sanitation and when the time for making similar grants for rural sanitation has come, it is growing miser . . . . .

The Honourable Sardar Jogendra Singh: If I may remove another misapprehension, generally municipalities tax themselves and provide funds which they spend.

Chaudhri Afzal Haq (continued in Urdu): I am aware that the municipal committees charge certain amount of taxation from the people under their jurisdiction, but it is also a fact that these taxes are supplemented by large grants from the Government. Now that the Government has very kindly formed a Board, it should liberally provide that Board with funds. You cannot expect to do justice to the cause of rural sanitation by a sum of three lakhs. I am here reminded of a part of this province which is called the Bet ilaqa. The Government has admitted more than once and in more than one way that Bet is the most malarial ilaqa. There are also no roads there. It takes many weeks for the mail to reach this ilaqa. But inspite of all this, nothing so far has been done to improve the sanitary conditions of the ilaqa. I do not wish to make this a question between the urban and rural areas, but I must say that where you are so generous in the case of urban sanitation, you must not be so stingy when the question of rural sanitation has come before us. The pity is that those who were only lately advocates of the cause of rural sanitation, have not only fallen out, but are opposing us now. We had hoped that the Government would grant us at least 15 lakhs of rupees for the purpose, but that hope was not to be fulfilled. I hope the Government will realise the gravity of the situation and will come up in the next session, with a supplemetary demand for this purpose and I can assure it that we will all support that demand.

Mr. President: The honourable member refused to move motion No. 5* which was tabled by him and now actually he is discussing that very motion. I am afraid he is not in order.

4 P.M.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders (General)]: Sir, I should like to say a few words. I have heard the speeches which have been made by my honourable friends. I attach great value to the suggestions that have been put forward. There is no doubt that village organisation in the way of panchayats and urban organisation in the way of committees is helpful to sanitation. There is no doubt that we need funds for pushing forward sanitary schemes, but none of the speakers who have followed Sir Gopal Das Bhandari have attached sufficient value to the points which he has put forward. Sir, a good deal depends on the habits of the people. We unconsciously compare the state of things prevailing in our country with those in Europe, but we forget that there are many difficulties in our way and that there are many factors which help the achievement of sanitary objects in European countries which are absent in our country. I am not one of those who believe that laws made by Government or by a Council like the present one go very far. Laws made by representative institutions and by Government achieve their end only to a limited extent. Much depends upon the co-operation of the people which can be secured only by their knowledge and appreciation of hygienic methods and by their standard of living. Even with regard to funds we depend upon the co-operation of the people. This is a speech which I would have expected from the Minister for Public Health, Rai Sahib Chaudhri Chhotu Ram. Even if funds, with the co-operation of

* That the grant be reduced by Re. 1 with respect to the item of Rs. 3,00,000—Ala Nullah scheme, Gchara and Rohtak drainage scheme.

the people, were forthcoming sanitation can be improved only when the benefits of the hygienic methods are appreciated. During the last fifty years there has been considerable improvement in urban areas but the sanitary condition of villages is much the same. I was myself one of those who tried to improve the sanitary conditions of villages, but I found that people considered it to be an undue interference with their liberties. About ten years ago district officers received a circular to the effect that the people of villages should be directed to keep their cow-dung and manure at a distance far removed from their habitation. We tried to introduce that reform but we signally failed. I was not the only person who felt this difficulty. I believe every district officer at the time felt it. People complained of the undue interference with their habits and their liberties and resented any action which would in any way interfere with their habit. Therefore I think that if we really want to achieve any improvement in sanitation in villages, we should wait till better knowledge of hygiene is spread among the people, and till their habits of living and the standard of living have improved. I do not wish to throw cold water on such methods as Government is adopting. Let it try its schemes, but what I say is that more will depend upon the factors to which I have alluded.

The Honourable Rai Sahib Chaudhri Chhotu Ram (Minister for Education) : Sir, I just wish to make one or two points clear. I know that sanitation both in rural areas and in urban areas is not all that is desirable, but it is not quite fair to say that Government has not been doing what it could under the circumstances. For every big municipality there is an officer of health a part of whose pay is paid by Government. In smaller municipalities there are Sanitary Inspectors. As regards district boards I think most of the district boards in the province have one District Medical Officer of Health. Whenever there is an outbreak of plague or cholera or any other disease, Government is willing and anxious to render immediate assistance. Just now when there is plague in some of the districts, I have been writing demi-officially to Deputy Commissioners and trying to find out whether they need any help and the Director of Public Health has an adequate staff at his disposal to send as many doctors as are required by Deputy Commissioners for their respective districts.

Another point to which attention has been drawn by Shaikh Muhammad Sadiq is that some of the municipalities are not doing their duties, they are very inefficient and that Government should interfere to the extent of suspending them or taking them over. Probably my friend said what he would not like to be actually done by Government. Government is not at all anxious to interfere in the local affairs of municipalities or district boards if it can really help it. But if what Shaikh Muhammad Sadiq complains of still continues and if the public of the province desires it, possibly Government may find it necessary to interfere in some very bad cases. But the real remedy lies with the people themselves, with the members of municipalities and members of district boards. If private members took more interest than they really take now, if the presidents and vice-presidents of local bodies gave more of their time and attention to their duties, I think no interference on the part of Government will at all be necessary. The real difficulty arises from the fact that private persons are either unable or unwilling to devote as much time as is really necessary for the efficient discharge of their duties.

[Hon. R. S. Ch. Chhotu Ram.]

There was one more point which requires some reply from me. That was raised by Rana Firoz-ud-Din Khan with regard to panchayats. He seems to be under the impression that the formation of panchayats in various villages is opposed by district officers. I wish to remove this impression. I have not been very long in the Education Department—I have been hardly two months—but during this short time of two months I have found that while Government officers are most anxious to see panchayats established in various villages, the opposition comes from the people themselves. I have not come across a single instance in which a district officer has opposed the starting of a panchayat anywhere. There are instances, very many instances indeed, in which the establishment of a panchayat in a particular place has been opposed most strenuously by the people themselves. What it is due to, I cannot understand. Government is anxious to see that more panchayats are established in villages. This question has been under the serious consideration of Government for some time and only about a week ago the question was considered at one of the departmental meetings and it was decided that we should approach officers of the Co-operative Department with a request that they should undertake to preach to the people the necessity of having panchayats. In the first instance we want to make use of the excellent agency, the Co-operative Department, for the purpose of popularising the panchayats. If the assistance of the Co-operative Department is not adequate, or if that department is unable to render assistance when we require, I shall consider the advisability of having one or two special officers to preach to the people the advantages of panchayats.

There is one more point to which I should like to reply. That point was raised by Chaudhri Afzal Haq. He is very much disappointed that the budget provides only 3 lakhs of rupees for the improvement of rural sanitation. He was present at one of the meetings at which this question was considered. I think he is right in saying that the proposal there was that we ought to have a much larger sum than has actually been provided in the budget. But he does not know the reason why only three lakhs have been provided. The smallness of this sum is not due to any reluctance on the part of the Government to find sufficient money, but on account of the fact that there were no proposals placed before the Government for which provision should have been made. Unfortunately the rural Sanitary Board came into existence only recently and it could not have been expected to have schemes of rural sanitation ready in time for sufficient provision being made in this year's budget. When any schemes are put forward there is no doubt that sufficient provision will be made and perhaps money may be asked for in the next session of the Council.

There is just one more point. Chaudhri Afzal Haq thinks that most of the money is being spent on the improvement of urban sanitation and that very little money is spent on the improvement of rural sanitation. I am afraid I must admit that the charge is true. It is a fact that a good deal of money has been spent on the improvement of urban sanitation and very little money has been spent on the improvement of rural sanitation. But here again it is not the municipalities that are at fault nor is it the Government that is at fault. The fault lies a good deal on the people themselves. They have never cared to have either an official or a non-official organisation in rural areas to press their claims. The attention of Government is being directed

to that particular point There is first the Panchayat Act and we have again the Rural Sanitary Board. Under the Rural Sanitary Board there is absolutely no reason to think that active steps will not be taken to improve the rural sanitation in the near future (Cheers).

Shaikh Muhammad Sadiq [Amritsar City (Muhammadan), Urban] : Sir, I am afraid the Honourable Minister either did not catch the important points of my speech or I have not been intelligible enough. He has not answered many of the points which I raised about the new towns. He has absolutely ignored them. It was not a question of suppressing municipalities. I wanted a change in the law by which if the sanitation of the municipalities are not looked into by the local bodies themselves Government should force the municipalities to look into it.

Mr. President : Order, order. The honourable member will please restrict his remark to the arguments to which he wishes to reply. If any one of his arguments has not been replied to by the Government member, he should not repeat it.

Shaikh Muhammad Sadiq : Very well, Sir. The Honourable Minister says that there are health officers and that there are sanitary inspectors. I admit that there are these officers. But what I ask is, is that sufficient ? Is that enough for the needs ? Does the Honourable Minister mean that the health officers and sanitary inspectors are enough to check the epidemic ? I submit, Sir, that the answer is not satisfactory.

Then the honourable member for Amritsar (Rai Bahadur Sir Gopal Das, Bhandari) said that something was done to combat this epidemic. I do not want that something should be done. I want that the whole nation should be mobilised, as in war, the whole nation should be organised for a war to a finish with this epidemic. I want Government to start a campaign against the epidemics in right earnest and not to tell us that sanitary inspectors have been appointed and that health officers on Rs. 300 per month have been employed by the municipalities of Amritsar and Lahore. A whole campaign should be started, not in half-hearted manner, but whole heartedly against this enemy of mankind which is ravaging the whole country.

I am sorry the Honourable Minister has not referred to all the questions raised in my speech and so I am not in a position to answer them. I, however, beg leave to withdraw the motion.

The motion was by leave withdrawn.

Mr. President : The question is :—

"That a sum not exceeding Rs. 67,67,000 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Medical and Public Health."

The motion was carried.

AGRICULTURE GRANT.

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

> "That a sum not exceeding Rs. 40,34,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Agriculture."

In moving this demand I wish to explain the future programme and the policy of the Agricultural Department. I had hoped that this House will at least devote a day to the great problems of agriculture and industries. Unfortunately we have not had the necessary time to discuss the two questions. I shall, however, be very brief. All that I wish to attempt is to indicate certain lines of advancement and the magnitude of the problem and the lines on which the department is working. I hope to secure closest possible co-operation between this House and the Ministry of Agriculture so that we may make a united effort to accelerate agricultural progress of this province (Hear, hear).

Before I touch the main problem I wish to explain to this House the main lines of improvement which have achieved such a great success in other countries and to which we have so far devoted very little attention. These are very simple in themselves. Perhaps their very simplicity is accountable for attaching such little attention. What we need is good ploughing, good seed, proper watering and proper manuring. All these things our agriculturist friends know quite well. Yet little attempt has been made to produce strong bullocks, proper seed, proper watering and proper manure. If we concentrate our attention on these I can assure you, that we can greatly increase the yields and establish prosperity in the villages, not only of village communities but of cities also, because I think villages and cities are interdependent and if there is prosperity in the villages there is prosperity in the towns. It has been shown that the prepotent factor in producing dual purpose, animal good both for yoke and pail is the bull. We need several thousand bulls every year. In other countries, by proper selection and proper breeding people have been able to produce good bulls. The one thing needful is the selection of a good breed and keeping it pure. I can tell you, that His Excellency the Governor has been taking a keen interest in stock breeding and the department is about to take into consideration a large scheme of stock breeding, in the near future. We expect to produce good many bulls in the next few years but the problem is very big, on the smallest possible scale we require some, thing like 10,000 bulls every year.

In the matter of seed again, you will be surprised by the magnitude of the problem. Good work has been done by our Director of Agriculture, Mr. Milne, in selecting good wheats and cottons. The profits from this line alone to the province amount to nearly four crores. But we have not enough seed, nearly 95 per cent. of the area does not get good wheat seed. We want 60 lakhs of maunds of wheat and 3½ lakhs of maunds of cotton seed every year on the area sown. This is the problem before you. We have to concentrate our efforts to obtain the full requirements of cotton seeds and wheat seeds. When you have solved that problem you will have solved one of the biggest problems which are before you.

In the matter of rice, millets, maize, pulses and oil-seeds, we have not yet started work. We are going to start some work on these crops. Several seed and experimental farms are going to be established in the coming five years. A programme of five years has been prepared, we hope to establish in every district an experimental farm and some seed farms also but here again our farms are not likely to meet even the part demand for seed. We need private agencies to multiply the seed which is produced by our agricultural experts. Again when we come to the question of research, we find that people have been wondering as to what our research workers are doing. You have only to look at the number of research workers employed in other countries and you will notice that our research workers are so few in number. We have only 21 research workers in the province. In England where agriculture does not play such an important part as in India, they have nearly 400 research workers. Here again there is room for improvement. We should at least have one research worker for each important crop.

In the matter of cotton, the Central Cotton Committee have provided Rs. 45,000 for the next three years and the research on cotton will be properly carried on. In the matter of other important crops we must employ more research workers. It will be my endeavour during the coming year to provide at least one research worker for each important crop.

In the matter of irrigation, we owe a great debt of gratitude to our Irrigation Engineers. The prosperity which we see around us is due to the work which has been accomplished by Mr. Sangster and his predecessors (applause). There are still large *barani* areas which remain unirrigated. It is a matter of the greatest possible importance for the province to see that these areas are also served and receive the benefit of organised irrigation.

In other countries lift irrigation has been organised. In the Panjab we have made no great effort to tap the sub-soil supply. I am proposing, in the coming year, to establish a lift irrigation section fully equipped to carry out experiments in the organisation and supply of lift irrigation from wells and other sources. It is proposed to establish a battery of tube-wells in a barani area to carry out the first experiment. If it succeeds I have no doubt that large areas will come under irrigation and thus the benefits which are now enjoyed by the canal irrigated areas will be enjoyed by other areas also which are not likely to be served by the canal irrigation.

Then comes the question of manures. In European countries food for plants has been fully studied. Here we have not begun studying the food requirements of our population which is a very important question. This question of proper food supply for our population will have to be studied some day but it is of the utmost importance that the food supply of plants should be fully considered and proper manure supplied. One thing which has been fully established and which I should like to be taken up is green manuring of the fields. Green manure, I can say without any fear of contradiction is of very great advantage to crops and the more it is used the better yields will be secured. I hope to discuss this matter with the Irrigation department and to be able to offer some new facilities for promoting the use of green manures.

Diwan Bahadur Raja Narendra Nath: One thing is the remission of abiana on this particular crop (laughter).

The Honourable Sardar Jogendra Singh: The next point which I wanted to touch upon is the creation of agricultural credits. The progress which co-operation has made in the Punjab is really wonderful. Some of the results attained by Mr. Calvert and Mr. Strickland seem to me something like the attaining of the unattainable, such as the consolidation of holdings. If anyone had told me a few years ago that it was possible to consolidate holdings I would not have believed him. As many as 50,000 acres have been consolidated and it is expected that in the near future consolidation will go on progressing which will add immensely to the wealth of the province.

Ten years ago there were 3,300 societies; now we have 13,000 societies with a capital of five crores. But we should not be satisfied with the success we have achieved. We need 100 crores if the rural credit is to meet all the needs of agriculture. A five years' programme has been prepared for the Co-operative Department, so that the necessary staff may be available with the expansion of the Co-operative movement. We are opening mortgage banks to meet the demand for long term loans. We are issuing debentures to attract capital which now rests underground. If we are able to induce capital to come out and fructify, we will not have worked in vain.

Lastly, I wish to place before the House a proposal and that proposal is to re-organise the Agricultural Board. The Agricultural Board must become the centre of all the intelligence of the Province. It is this Board which should specify on what crop research is required and the directions in which research is required. It is this Board which should be the link between the Agricultural Department and the agriculturists. It is this Board which should take up the question on what crops and other agricultural problems the efforts of the Agriculture Department should be concentrated. I have made no rules regarding the Board of Agriculture, because I await constructive suggestions from the members of this House and outside to make this Board really effective. A little while ago Rana Firoz-ud-Din Khan pointed out that Boards were useless unless they were live bodies. I want this Agricultural Board to be a live body, a living link, a centre of co-operation between the Agriculture Department and the people in general. In fact the Agriculture Department is meant to carry out researches for you. It is for you to indicate the lines on which the work is to be carried out. With your assistance we will be able to make the agriculture of this province more prosperous and through the prosperity of agriculture we will guarantee the prosperity of the whole province.

Mr. President: The question is:—

> "That a sum not exceeding Rs. 40,34,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1937 in respect of Agriculture."

Sardar Tara Singh [Ferozepore (Sikh), Rural]: Sir, I beg to move—

> "That the grant be reduced by Re. 1 with respect to the item of Rs. 1,94,220—Veterinary Assistants."

Sir, my object in moving this motion is to raise a debate on the pay and promotion of the old type of Veterinary Assistants. Sir, recently a new course of studies has been introduced in the Veterinary College and the course of medium of instruction has been changed from vernacular into English and the department has increased the pay from the old type of Veterinary Assistants who used to draw Rs. 80 up to Rs. 100...

The Honourable Sardar Jogendra Singh (Minister for Agriculture) : Sir, perhaps it will satisfy the honourable member if I say that the whole question is engaging the attention of the Government at the present moment. All questions connected with the organisation of this service will be considered by the Government and the suggestions made by the honourable member here will also be considered.

Sardar Tara Singh : Then I beg leave to withdraw my motion.

Mr. President : Grant under discussion, the motion moved was—

"That the grant be reduced by Re. 1 with respect to the item of Rs. 1,94,220—Veterinary Assistants."

The honourable member now wants permission to withdraw this motion.

The House having signified its assent, the motion was by leave withdrawn.

Rana Firoz-ud-Din Khan [South-East Towns (Muhammadan), Urban] : As the Honourable Minister of Agriculture has said that all questions connected with Veterinary Assistants are engaging the attention of the Government, I do not want to move my motion.*

Chaudhri Ram Singh [Kangra (Non-Muhammadan), Rural] : Sir, I beg to move—

"That the total grant be reduced by Re. 1."

Sir, the moving of such a motion by a zamindar, as I am, must look strange to most of you. And I shall hurry up to explain the reasons for so doing. Before coming to that I would like to say that I am one of the Directors of the Central Bank at Dharamsala and the Union Bank at Indaura, district Kangra and I am one of the first persons who started the co-operative movement in the Kangra district. I am a member of the Indaura Co-operative Society and have been the honorary secretary of the co-operative society of my village for 8 years. I have exerted a lot to make this movement a success in the Kangra district. Many people joined only through the efforts of my relatives and those of myself. I was as it would have been manifest, now, an enthusiastic worker for the cause of Co-operation, but the Co-operative Conference held in Lahore on the 26th and 27th February last has made me dislike the movement. In this Conference which was attended by high Government officials and Ministers of the Government the *sahukars* were much reviled. There was a party of singers whom I prefer to call the Muslim Bhajan Mandli, who recited some very objectionable songs. I would like to read a few verses of this song. On the first day when our honourable friend Khan Bahadur Chaudhri Fazl Ali presided they sang as follows :—

پلڈ پلڈ دہر دھائي — زمیندار و جاگر بہائي
کوئي آکھے بہک مردے — رہو زمان بیچ گذارا کردے
پہر دوکان چلائي — زمیندار و جاگر بہائي
ساڈا پي گئے خون تماصي — کر کر ساڈي مفت غلامي
کہالدے رانگ قصائي — زمیندار و جاگر بہائي

*That the total grant be reduced by Re. 1.

[Ch. Ram Singh.]

Mark, Sir, how strongly worded these verses are.

Rana Firoz-ud-Din Khan : But are they not true?

Chaudhri Ram Singh : No, they are quite wrong. The next day Mr. Strickland spoke under the chairmanship of the Honourable Mian Sir Fazl-i-Husain. Let me admit it, Sir, that there was not a word uttered by Mr. Strickland which could be objected to by any one. In fact that was the only lecture which was worth the name. But after the lecture the same party of singers sang another song. It reads thus :—

اے ز میندارو بھائیو آپو ہوش کرن دا ویلا۔غفلت چھا رنجائیو

شاہر کاراں تے تسیں بچ جاؤ۔آپاں دے نیرے جاؤ۔دل و چ اپنا پکائیو۔

اپنا تسالوں نت نت کہاندے۔دے پیسہ اپنا روپیہ پھاندے۔

بار و چ انہاں ہنیاں پا کے۔نت تساں کہادا بھرما کے۔ہن تے سنبھل جائیو۔

گیلو رٹ تے سٹرک لینڈ صاحب۔زمینداراں دے بیلے دے طالب۔انہاں دا شر بچائیو۔

ہو ر خیال میرے دل آیا۔فرض میرے تے کہنا آیا۔غصے ہو نہ جائیو۔

جد مہمان کوئی گھر آوے عورت ہنیوں سردا لیاوے۔شرم کرو کچھ بھائیو۔

Over and above this there were other similar songs too.

You, Sir, by passing the Land Alienation Act have already made the *sahukars* very weak. Now the conference seeks to drive the poor money-lender out of his profession as well. Sir, I belong to a religion which recognises 4 *varnas* and 4 *ashramas* and the profession of money-lending is permissible in the vaishya *varna*. There are references to the profession in the Shastras and I cannot tolerate a society with the avowed object of maligning the *sahukars*. This is in fact an attack against the Hindu religion. Now, Sir, in 1908 when political agitation was first started in the Punjab several people were prosecuted merely for singing a song پگڑی سنبھال او جٹا. But here ill-will has been sought to be created openly against a class in the very presence of the Government officers. Is there no section of the law which could apply to this? These Co-operative Banks are not bad things. I myself have helped in their formation. I possess a certificate for services done in that direction. But why go out of your way and create bad blood between the two communities? Sir, attacking the institution of money-lending is attacking the Hindu religion. When the Money-lenders Registration Bill was introduced my honourable friend Pandit Nanak Chand said that it was a Muhammadan measure. But some of the Muhammadan members, then disclaimed it. But this Conference has proved it beyond any doubt that it is a Muhammadan measure designed simply to attack Hindu interests. Then, I hear, Sir, a symposium was held during this conference in which one Maulana Tajwar of Lahore and others read poems reviling the *banias* and the *khatris*. Is it Sir, a thing worthy of the Co-operative Department or the promoters of the Conference? Khan Bahadur Shaikh Abdul Qadir remarked in a speech that the conference was a success. Is it really a success where a class or community has been ridiculed? This Muslim Bhajan Mandli, I understand, was organised by the Joint Registrar of Co-operative Societies, Lyallpur, and it was suggested that such mandlis should be encouraged. Now, Sir, they also staged Hir

Ranjha. How nice would it have been if they had staged the Merchant of Venice instead? This would have been more befitting the occasion, for the conference was held only to create illwill against *sahukars*. I wonder how the Hindus, Khatris, and other employees of the department felt during the conference. You should have some consideration for their feelings. An honourable member asked whether the allegations made in those songs were not true. There may be a few Shylocks here and there. Blacksheep are present in every class, creed and calling. But should we condemn the whole class for these few evil persons? Do we not have any embezzlement in the Co-operative Banks. We have only to-day been handed a pamphlet which draws our attention to such a case of embezzlement by one Qumar Din. Should we for this stray case take up our cudgels against the whole department? Have not these *sahukars* been looted and murdered by these borrowers? Why do you not then call the whole class of borrowers as butchers and murderers? Is it just to blame the whole class for the misdeeds of a few? Sir, I will not dilate upon this any longer. I only wanted to bring the matter to the notice of the Government that such crusade against the money-lenders will not help the department. On the other hand such acts will drive out some of those workers who have been very useful to the department. Then, Sir, there is another danger in such a propaganda. Repayments of debts by the borrowers to the money-lenders will be rendered difficult. Money-lending is not entirely bad. You can get money whenever you like from a money-lender. But in the case of Banks you have to wait. Moreover, you have the hand of Government in this. If you want to encourage the Co-operation movement do so quietly. You know the story of Birbal. Akbar once asked Birbal, having drawn a line, can you shorten this line without touching it or striking it off? Birbal just drew a line by its side a little longer than the first one. The first naturally looked by juxtaposition shorter than the other. Similarly if you want to drive out the private money-lending in the province you encourage the formation of Co-operative Societies and the money-lenders will go. Such talk will not help you in your work. This creates class hatred. I hope Government will take action against this event and will not allow a repetition of this.

Mr. President: Grant under discussion, motion moved:

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

Diwan Bahadur Raja Narendra Nath [Punjab Landholders, (General)] (Urdu): Sir, I did not have the honour of attending the conference to whose proceedings the honourable member for Kangra has referred. But I did have a chance to listen to the songs of the same nature at a social function and I was really struck with the tone of the songs. The question is not to be considered in the light in which my honourable friend has taken it. Hindus alone are not money-lenders. There are Muhammadans as well who do the business. The Sheikh's amongst Muhammadans, are well known as *sahukars* though Hindus predominate in the profession. Muslims are not entirely free from it. These *sahukars* now form a class by themselves which includes men of different religions. Co-operative Societies also exist everywhere and there is no doubt that the success which in the Punjab this department has achieved, is due to the activities and enthusiasm of the heads of this department .....

5 P.M.

Mr. President: As the House is aware His Excellency the Governor was pleased to allot eight days for the discussion of the demands of the Local Government for Grants. It is the eighth day to-day and it is now five o'clock. So, it is my imperative duty to put forthwith every question necessary to dispose of all the outstanding matters in connection with demands for grants and no more discussion is permissible under the Standing Orders.

Grant under discussion, motion moved :—

"That the total grant be reduced by Re. 1."

The question is that that motion be adopted.

The motion was lost.

Mr. President: The question is—

"That a sum not exceeding Rs. 40,34,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Agriculture."

The motion was carried.

INDUSTRIES (REVENUE AND CAPITAL) GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 9,02,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Industries (Revenue and Capital)."

The motion was carried.

MISCELLANEOUS (RESERVED) GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 9,06,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Miscellaneous (Reserved)."

The motion was carried.

CIVIL WORKS (RESERVED) GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 1,64,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Civil Works (Reserved)."

The motion was carried.

CIVIL WORKS (TRANSFERRED) GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 2,23,33,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Civil Works (Transferred)—(Revenue and Capital)."

The motion was carried.

FAMINE RELIEF AND INSURANCE GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 1,00,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Famine Relief and Insurance."

The motion was carried.

SUPERANNUATION ALLOWANCES AND PENSIONS GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 24,89,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Superannuation Allowances and Pensions."

The motion was carried.

STATIONERY AND PRINTING (RESERVED) GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 8,32,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Stationery and Printing (Reserved)."

The motion was carried.

STATIONERY AND PRINTING (TRANSFERRED) GRANT.

Mr. President: The question is—

"That a sum not exceeding Rs. 52,100 be granted to the Punjab Government (Ministries of Agriculture and Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Stationery and Printing (Transferred)."

The motion was carried.

CIVIL CONTINGENCIES FUND GRANT.

Mr. President : The question is—

"That a sum not exceeding Rs. 1,50,00 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Civil Contingencies Fund."

The motion was carried.

LOANS BY PROVINCIAL GOVERNMENT (RESERVED) GRANT.

Mr. President : The question is :

"That a sum not exceeding Rs. 10,35,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Loans by Provincial Governments (Reserved).

The motion was carried.

LOANS BY PROVINCIAL GOVERNMENT (TRANSFERRED) GRANT.

Mr. President : The question is :

"That a sum not exceeding Rs. 19,00,000 be granted to the Punjab Government (Ministries of Agriculture and Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Loans by Provincial Governments (Transferred)".

The motion was carried.

REFUNDS (RESERVED) GRANT.

Mr. President : The question is :

"That a sum not exceeding Rs. 3,47,290 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Refunds (Reserved)."

The motion was carried.

REFUNDS (TRANSFERRED) GRANT.

Mr. President : The question is :

"That a sum not exceeding Rs. 1,62,000 be granted to the Punjab Government (Ministries of Agriculture and Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1927 in respect of Refunds (Transferred)."

The motion was carried.

The Council then adjourned till 2 P. M. on Thursday, the 18th March 1926.

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81 FLC—891—1-4-26—SGPP Lahore.

PUNJAB LEGISLATIVE COUNCIL.

8TH SESSION OF THE 2ND PUNJAB LEGISLATIVE COUNCIL.

Thursday, the 18th March 1926.

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

OATH OF OFFICE.

The following members were sworn in :

Mr. D. J. Boyd (Official, Nominated).

Khan Bahadur Nawab Muzaffar Khan (Official, Nominated).

QUESTIONS AND ANSWERS.

MUSLIMS IN THE CLERICAL STAFF OF THE FOREST DEPARTMENT.

3012. Chaudhri Afzal Haq : (*a*) Will the Government be pleased to state the number and percentage of Muslims and non-Muslims in the various grades of clerical staff in the Forest Department ?

(*b*) If the percentage of the Muslims is less than that of the non-Muslims, have the Government considered the advisability of and taken steps for completing the Muslim deficiency ?

(*c*) Is it a fact that the claims of the better qualified Muslim clerks have been ignored and they have been superseded by the non-Muslim junior clerks ?

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

3013. *Cancelled.*

DISTRICT BOARD ELECTORAL RULES.

3014. Rai Bahadur Lala Sewak Ram : Has a change been made in the District Board Electoral Rules whereby the voters of the Punjab Legislative Council are no longer registered as voters for district board elections ? If so, why ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : Yes, the change was made in 1923 because all electors to constituencies for the Legislative Council do not pay local rate or district board tax.

Rai Bahadur Lala Sewak Ram : Every voter of the Legislative Council either pays land revenue or income-tax and in the case of the former he pays road cess. If so, will the Government please issue orders that Legislative Council voters may be registered as district board voters ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : No ; there are ex-sepoys who do not pay either income-tax or local rate.

Rai Bahadur Lala Sewak Ram : Those people who are Legislative Council voters may be included. Will the Government please issue orders to this effect ?

Mr. President : The honourable member is making a request which ought to be moved by a separate resolution.

DISTRICT BOARD FRANCHISE FOR LAND REVENUE PAYERS.

3015. Rai Bahadur Lala Sewak Ram : Is it a fact that persons paying land revenue for agricultural land situated within municipal limits are no longer registered as voters for district board elections although they pay district board cess ? If so, why ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : Yes, as the local rate paid by such persons is liable to be credited to municipal funds.

Rai Bahadur Lala Sewak Ram : Is it a general rule that the local rates paid by such persons should be credited to municipal funds ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : The wording is quite clear and it can be easily interpreted.

Rai Bahadur Lala Sewak Ram : I want to know whether it is liable as a general rule.

The Honourable Rai Sahib Chaudhri Chhotu Ram : It is liable to be credited to municipal funds.

GRANT OF LAND TO MIDHA COMMUNITY.

3016. Rai Bahadur Lala Sewak Ram : (*i*) Will Government be pleased to state if it is a fact—

(*a*) that the Midha community in Kamalia, district Montgomery, have been Trini Gujars and that they are agriculturists by occupation ;

(*b*) that their holdings have greatly diminished during the last few years ;

(*c*) that the jungles around Kamalia are being reclaimed and brought under cultivation ?

(*ii*) If the answer to the above be in the affirmative, will Government be pleased to state whether they are prepared to grant land to the Midha community in the jungles which are being reclaimed ?

(*iii*) Do Government propose to consider the desirability of notifying the Midhas as agriculturists under the Land Alienation Act ?

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

3017—3019. *Cancelled.*

MOTOR VEHICLES TAXATION ACT.

3020. Mr. E. Maya Das: Will Government be pleased to say whether in the light of experience of the working of the Motor Vehicles Taxation Act during the current financial year it proposes to abolish this tax?

The Honourable Sir John Maynard: The whole question of provincial taxation will shortly come under consideration, and the decisions reached will be announced at the June session of the Council.

TAX ON MOTOR VEHICLES.

3021. Mr. E. Maya Das: Will the Government be pleased to state—

(a) the estimated amount of receipts from the tax on motor vehicles during 1925-26;

(b) the amount of tax actually recovered during the first three quarters of the year;

(c) the amount of tax likely to be recovered during the remaining quarter; and

(d) the probable amount of excess over or deficit in the estimated receipts?

The Honourable Sir John Maynard: (a) Rs. 3 lakhs.

(b) Rs. 1,46,880.

(c) Rs. 48,960.

(d) About Rs. one lakh.

TAX ON PRIVATE MOTOR CARS.

3022. Mr. E. Maya Das: Will Government be pleased to state the amount of tax per annum on private motor cars under the Motor Vehicles Taxation Act—

(a) for a seven-seater, a six-seater, etc., down to one-seater;

(b) at these rates, what does the tax work out to per seat for a seven-seater, a six-seater, etc., down to a one-seater;

(c) if the tax per seat is greater in some cases than others, does Government propose to consider the advisability of removing this inequality in case the tax is not abolished?

The Honourable Sir John Maynard: (a) and (b) The honourable member is referred to the schedule to the Punjab Motor Vehicles Taxation Act, 1924.

(c) No.

POLICE DEPARTMENT.

3023. Mr. E. Maya Das: Will Government be pleased to lay on the table a statement showing the names of persons in the Police Department who rendered commendable service during the past year, together with brief notes showing the nature of work done as well as the nature of rewards granted, if any?

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

CONSOLIDATED GRANTS TO DISTRICT BOARDS.

3024. Mr. E. Maya Das: Will Government be pleased to lay on the table a statement showing the consolidated grants proposed to be given to district boards during 1926-27 ?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The matter is still under consideration.

GOVERNMENT SCHOLARSHIPS FOR WOMEN.

3025. Mr. E. Maya Das: Will Government be pleased to lay a statement on the table showing—

(a) the number of Government scholarships reserved for women for studying for the F.A., F.Sc., B.A., B.Sc., M.A. and M.Sc. examinations ;

(b) the number of women that appeared for the Entrance, F.A., F.Sc., B.A. and B.Sc. examinations during the past three years as well as the number that were successful and also the number of women at present studying for M.A. or M.Sc. ?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) Eight scholarships are awarded to girls who study for the Intermediate examination and four to those who study for the B. A. or B. Sc. examination.

(b) The information is given below :—

	1924-25.		1923-24.		1922-23.	
	Examinees.	Passes.	Examinees.	Passes.	Examinees.	Passes.
B. A.	18	14	5	3	10	9
B. Sc.	...	...	...	...	...	...
F. A.	29	26	15	12	21	15
F. Sc.	28	18	...	...	...	...
Matriculation	97	68	68	57	60	50

There are six women reading for the M. A. examination, so far as can be ascertained.

ERECTION OF OIL AND PETROL ENGINES IN RURAL AREAS.

3026. Mr. E. Maya Das: Will Government be pleased to lay on the table a copy of the rules regulating the erection of oil and petrol engines in rural areas, that is, outside notified areas?

The Honourable Sardar Jogendra Singh: There are no separate rules regulating the erection of oil and petrol engines in rural areas in the Punjab. If the premises in which the oil or petrol engine is to be used come within the definition of a "factory" in the Indian Factories Act of 1911, the Punjab Factories (Amended) Rules, 1922, would be applicable to the erection and use of the engine.

ROAD FROM ABOHAR TO FAZILKA.

3027. Mr. E. Maya Das: (a) Is Government aware that the people of Ferozepore district are very anxious that the road from Abohar to Fazilka, a distance of twenty miles, should be metalled at a very early date?

(b) Will Government be pleased to make a statement which may throw some light about the approximate time when the work of metalling is likely to be taken in hand?

The Honourable Sardar Jogendra Singh: (a) and (b) The honourable member is referred to the answer given to question No. 2767*. Until the alignment for the Delhi-Montgomery arterial road is settled it is premature to consider dates by which any portion of it may be metalled.

DISCONTENT AMONG THE STAFF OF THE POLICE DEPARTMENT.

3028. Maulvi Mazhar Ali, Azhar: (a) Is the Government aware that some serious discontentment is prevailing amongst clerks of the offices of the Assistant Inspector-General, Government Railway Police, Lahore, Deputy Inspector-General of Police, Criminal Investigation Department, Punjab, Lahore and Range Deputy Inspectors-General of Police for the reason that they are being condemned wholesale and some untrained and inexperienced Anglo-Indians have been placed above them?

(b) Is it a fact that in order to provide these Anglo-Indians the claims of the following clerks have been overlooked and they were insulted and ill-treated when they made any representations:—

(i) Inspector Chaudhri Sardar Singh with 24 years' service and experience;
(ii) Mirza Niamat Beg with 20 years' service;
(iii) Lala Aya Ram with 20 years' service;
(iv) Lala Sarn Dev,
(v) Babu Tara Singh.

(c) Is it a fact that one of the Anglo-Indians was drawing Rs. 130 in the Public Works Department when he was brought to the office of the Inspector-General of Police, Punjab, Lahore, in 1923 on Rs. 250 in supersession of the claims of the clerks mentioned above and was after six months promoted to Rs. 350? Is it also a fact that he is getting his pay as Superintendent, Criminal Investigation Department office, whereas he is actually working only as Head Assistant Accountant in the office of the Inspector-General of Police, Punjab, Lahore?

* Page 544 ante.

[Maulvi Mazhar Ali, Azhar.]

(d) Is it a fact that Lala Sarn Dev is actually performing the duties of Superintendent but not drawing the pay of that grade and this pay has been given to the Anglo-Indian? Is it also a fact that Lala Sarn Dev has been given a reward of Rs. 100 for good work as Superintendent of the Criminal Investigation Department office? If so, why is he not allowed to draw the pay of the Superintendent while he is actually performing the duties of a Superintendent?

(e) If the answers to the above be in the affirmative, will the Government please state what steps it proposes to take to do justice to the persons referred to above and to prevent the recurrence of such supersessions in future?

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

SARDAR NARAIN SINGH, HONORARY SUB-JUDGE, FATEH, GURDASPUR DISTRICT.

3029. Maulvi Mazhar Ali, Azhar: (a) Has it come to the notice of the Government that the term of office of Sardar Narain Singh, Honorary Sub-Judge, Fateh, Gurdaspur district, expired on January 3, 1926, but he still continued doing the work during January and February?

(b) Is it a fact that some cases, applications, etc., have been disposed of by him and a number of them are undisposed of?

(c) Does the Government propose to move the High Court to take action in respect of each case, application or other proceeding inquired into or disposed of by the said gentleman and rectify the illegalities committed on account of want of jurisdiction?

The Honourable Sir John Maynard: (a) The Sardar Sahib was invested with the powers of an Honorary Subordinate Judge for 5 years with effect from the 5th January 1923 and his term has therefore not yet expired.

(b) Yes.

(c) Does not arise.

MEDICAL CERTIFICATES GRANTED BY HAKIMS AND VAIDS.

3030. Rai Sahib Lala Ganga Ram: (a) Is it a fact that medical certificates granted by the Hakims and Vaids for non-appearance in courts, on account of illness, are not accepted by the courts in the Punjab?

(b) Is the Government aware that medical practitioners qualified to grant such certificates are not available in many villages?

(c) If the answers to the above be in the affirmative, does the Government propose to consider the desirability of framing the necessary rules permitting the acceptance of such certificates granted by those Hakims and Vaids who are diploma holders of Tibbi and Vaidic recognised institutions in the Punjab?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

3031—3043. *Cancelled.*

ACCOUNT BOOKS, ETC., OF CO-OPERATIVE SOCIETIES.

3044. Chaudhri Ram Singh: (*i*) Will Government be pleased to state —

(*a*) if it is a fact that the account books and other papers of the co-operative societies are kept in the Urdu language;

(*b*) if they are aware of the fact that a great many people, both rural and urban, keep their accounts in Hindi (Devnagri)?

(*ii*) If the answers to (*a*) and (*b*) above be in the affirmative, do Government propose to consider the desirability of having the account books and other papers of the co-operative societies printed in Hindi (Devnagri) and also issue instructions to the effect that co-operative societies are authorised to keep their accounts in Hindi?

The Honourable Sardar Jogendra Singh: (*a*) The majority of such books are kept in Urdu, but in some districts they are printed in Hindi.

(*b*) Yes.

(*c*) The matter is not one in which Government can take action, as it lies in the hands of the Punjab Co-operative Union.

PROSECUTION OF AN HONORARY MAGISTRATE OF FATEHGARH.

3045. Mian Abdul Aziz: (*a*) Is it a fact that one Farid, of village Raoowal in the Batala tahsil of Gurdaspur district, has petitioned the local Government —

(*i*) to launch a prosecution against a certain Honorary Magistrate, 1st class, of Fatehgarh, Gurdaspur district, under sections 342, 344, 348, 219 and 166 of the Indian Penal Code, or in the alternative to grant sanction to the petitioner under section 197, Criminal Procedure Code, to prosecute the said Honorary Magistrate under the said sections; and

(*ii*) for his removal from the rank of an Honorary Magistrate?

(*b*) (*i*) Has the petition been considered by the Government? If so, does the Government propose to prosecute the Magistrate? If not, will the Government please state its reasons?

(*ii*) Does the Government propose to remove the gentleman from the rank of an Honorary Magistrate? If not, will the Government kindly state the reasons?

The Honourable Sir John Maynard: (*a*) (*i*) Yes.

(*ii*) Yes.

(*b*) The petition is under consideration.

OUTLETS ON BHIWANI RAJBAHA.

3046. Khan Sahib Chaudhri Muhammad Shafi Ali Khan: (*i*) Will the Government be pleased to state—

(*a*) whether it is a fact that there are two outlets on Bhiwani Rajbaha at village Chang in the Bhiwani tahsil of the Hissar district, one very old and the other a new one, the former waters the lands of the zamindars, while the latter waters the lands of the local zaildar;

[K. S. Ch. Md. Shafi Ali Khan.]

(b) whether it is a fact that the Deputy Commissioner has asked the Canal authorities to close the old outlets;

(c) whether Government is aware that the old outlet, if closed, will cause great damage to the lands of the zamindars and loss to the revenues of the Government;

(d) whether it is a fact that the village pond gets canal water for drinking purposes by means of this old outlet and if this is closed, the village people and cattle will have no water for this purpose;

(ii) If the answers to (a), (b), (c) and (d) above are in the affirmative, will the Government be pleased to state the grounds and reasons on which the Deputy Commissioner has proposed to close the outlet?

The Honourable Mian Sir Fazl-i-Husain: The honourable member is informed that the requisite information is not available at present. Enquiries have been made from the local officers and the result awaited.

DISPUTE BETWEEN THE HINDUS AND MUHAMMADANS OF LOHANI.

3047. Chaudhri Sahib Dad Khan: (i) Will the Government be pleased to state—

(a) whether they are aware that there is a dispute between the Hindus and Muhammadans of Lohani in Bhiwani tahsil about the construction of a pacca mosque in that village;

(b) whether it is a fact that the Muhammadans are in a minority;

(c) whether it is a fact that a police guard was stationed in village Lohani to keep peace;

(d) whether they are aware that some Muhammadans have left the village;

(e) whether it is a fact that the above mentioned police guard has been ordered to leave the village?

(ii) If the answers to the above be in the affirmative, will Government please state whether it is their intention to locate a punitive police post there or to order another police guard to be stationed there to keep peace in the village?

The Honourable Sir John Maynard. (a), (b), (c) and (e) part I. Yes.

(d) and part II. No.

PAY OF COMPOUNDERS IN VETERINARY HOSPITALS.

3048. Chaudhri Sahib Dad Khan: (a) Is it a fact that the pay of the compounders in the Civil Hospitals and those in the Veterinary Hospitals was at one time equal?

(b) Is it a fact that the pay of the compounders in the Civil Hospitals has been fixed at Rs. 25 to Rs. 50, while that of the compounders in the Veterinary Hospitals at Rs. 15 to Rs. 30?

If the answers to the above be in the affirmative, will the Government be pleased to state whether they propose to raise the pay of compounders in the Veterinary Hospitals?

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

VETERINARY INSPECTOR ATTACHED TO HISSAR DISTRICT.

3049. Chaudhri Sahib Dad Khan: Is it a fact that there are many Veterinary Assistants and Veterinary Inspectors serving in their home districts? If so, how many and who are those?

(*b*) Is it a fact that one Veterinary Inspector formerly attached to the Hissar district (his home district) was transferred to Rohtak and then to Dera Ghazi Khan.

If so, what were the reasons for his transfer?

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

RIOT AT REWARI.

3050. Chaudhri Sahib Dad Khan: (*a*) Has Government received any complaint that the investigation of the recent riot at Rewari is being carried out by Hindu magistrates and Hindu Police officers?

(*b*) If so, do Government propose to attach some Muslim officer to take part in the investigation of this riot?

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

PRESIDENT, SIRSA MUNICIPALITY.

3051. Chaudhri Sahib Dad Khan: (*a*) Is it a fact that the President of the Sirsa Municipality did not allow the members of that committee who had tendered their resignations to work although their resignations had not been accepted?

(*b*) If so, what action was taken upon this conduct of the President?

(*c*) Is it a fact that the said President had abused his power as President—

(*i*) in encroaching upon municipal land himself as well as allowing his friends to do the same;

(*ii*) in non-payment of octroi taxes on cycles and a motor-car, etc., imported by his family;

(*iii*) in preferring his friends in the matter of municipal contracts;

(*d*) Is it a fact that the said President is an accepted candidate for the post of Sub-Judge?

[Ch. Sahib Dad Khan.]

(e) Is it a fact that the President connived at the insulting tone of the Secretary to the resigning members?

The Honourable Rai Sahib Chaudhri Chhotu Ram: I regret that the answer to this question is not yet ready. It will be communicated to the honourable member when ready.

MUHAMMADAN ASSISTANT SURGEON AT SIRSA.

3052. Chaudhri Sahib Dad Khan: (a) Is it a fact that no Muhammadan Assistant Surgeon has been posted to Sirsa during the last ten years?

(b) Is it a fact that a Muslim Assistant Surgeon was posted to Sirsa in February last but he was transferred after a few days?

The Honourable Rai Sahib Chaudhri Chhotu Ram: (a) Yes.

(b) Yes. A Muhammadan Assistant Surgeon was posted to Sirsa in February last, as a purely temporary arrangement on account of the sudden death of the permanent incumbent. As this Assistant Surgeon was a very junior man, he was replaced by a senior and more experienced Assistant Surgeon.

SIRSA MUNICIPALITY.

3053. Chaudhri Sahib Dad Khan: Is it a fact that the nominated seats in the municipalities are generally granted to the minority community, if so, has this rule been followed in the case of Sirsa municipality?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The principles on which Government exercise their power of nominating non-officials on local bodies are explained in paragraph 12 of the note issued by Government on the reconstitution of municipal committees and district boards in the Punjab. These principles were followed in the case of Sirsa municipality.

INFORMATION BUREAU ADVISORY BOARD.

3054. Chaudhri Duli Chand: Will Government be pleased to state the names of members of the Information Bureau Advisory Board?

The Honourable Mian Sir Fazl-i-Husain: A list is laid on the table.

LIST OF THE MEMBERS OF THE PUBLICITY ADVISORY BOARD.

1. The Honourable the Finance Member (Chairman).
2. The Chief Secretary.
3. The Director of Information Bureau.
4. The Director of Public Instruction, Punjab.
5. D. B. Raja Narendra Nath, M.L.C.
6. Sardar Jodh Singh, M.L.C.
7. Mir Maqbool Mahmood, M.L.C.
8. A representative of the Associated Press of India.
9. Diwan Bahadur K. B. Thapar.
10. Maulvi Muharram Ali, Chishti.

PUNJAB TEXT-BOOK COMMITTEE.

3055. **Chaudhri Duli Chand:** Will Government be pleased to state the names of the members of the Punjab Text-Book Committee?

The Honourable Rai Sahib Chaudhri Chhotu Ram: The list of members is laid on the table—

1. The Director of Public Instruction, Punjab, Lahore, *ex-officio*, President.

2. L. Heath, Esquire, Principal, Mayo School of Arts, Lahore.

3. M. Muhammad Din, B.A., Headmaster, Islamia High School, Lahore.

4. Dr. Muhammad Iqbal, M.A., Ph. D., Professor, Oriental College, Lahore.

5. Lala Devi Dayal, B.A., Professor, D. A.-V. College, Lahore.

6. Khan Bahadur Syed Maqbul Shah, B.A., Inspector of Vernacular Education, Punjab.

7. H. Y. Langhorne, Esquire, M.A., Professor, Government College, Lahore.

8. Lala Raghubar Dayal, Shastry, M.A., M.O.L., Principal, Sanatana Dharma College, Lahore.

9. Khan Bahadur Sheikh Abdul Qadir, B.A., Bar.-at-Law, Lahore.

10. M. Muharram Ali, Chishti, Vakil, High Court, Lahore.

11. Dr. R. H. Whitehouse, D. Sc., Principal, Central Training College, Lahore.

12. E. Smith, Esquire, M.A., Headmaster, Central Model School, Lahore.

13. Lala Ram Chandra, M.A., Reporter on Books, Education Department, Punjab, Lahore.

14. Miss L. M. Stratford, B.A., Deputy Directress of Public Instruction, Punjab, Lahore.

15. Sardar Jodh Singh, M.A., Professor, Khalsa College, Amritsar.

16. The Revd. C. H. Rice, M.A., Ph. D., Principal, Forman Christian College, Lahore.

17. A. Yusaf Ali, Esquire, M. A., Principal, Islamia College, Lahore.

18. Bawa Udham Singh, B. Sc., B. T., Headmaster, Khalsa High School, Lahore.

19. Rai Sahib Lala Raghunath Sahai, B.A., Headmaster, Dayal Singh High School, Lahore.

20. J. R. Firth, Esquire, M.A., Professor, Government College, Lahore.

21. W. H. F. Armstrong, Esquire, M. A., Principal, Intermediate College, Lyallpur.

[Hon'ble R. S. Ch. Chhotu Ram.]

22. P. D. Bhanot, Esquire, Headmaster, Government High School, Gujranwala.

23. Muhammad Shafi, Esquire, M.A., Vice-Principal, Oriental College Lahore.

24. G. C. Chatterji, Esquire, M.A., Professor, Government College, Lahore.

25. Vacant.

ASSAULT ON LALA BODH RAJ, M. L. C.

3056. Chaudhri Duli Chand : (a) Is it a fact that one warder who gave evidence before the Jails Committee in connection with the assault on Lala Bodh Raj, M.L.C., in the Montgomery Jail has been dismissed ?

(b) Is it also a fact that the Chief Head Warder who also appeared as a witness in connection with the said assault on Lala Bodh Raj has been reduced ?

(c) Will Government kindly state if the report of the assault on Lala Bodh Raj, M.L.C., has been published ?

(d) If so, will Government kindly lay a copy thereof on the table ?

(e) If not, why not ?

The Honourable Sir John Maynard : The Hon'ble Member is referred to the report* of the Punjab Jails Committee concerning this incident, which was laid before the Council on the 15th March 1926.

CONVICTS IN THE CONSPIRACY CASES OF 1914.

3057. Sardar Jodh Singh : Will the Government be pleased to state (a) whether the sentence of 'transportation for life' in the case of prisoners convicted in the conspiracy cases of 1914 and 1915 will be taken in its ordinary sense and that after the lapse of a definite number of years it will be understood to have expired ? If so, for how many years will the prisoners remain in prison ? (b) Whether these prisoners get remissions according to Jail Manual rules ?

The Honourable Sir John Maynard : (a) Yes ; the term of imprisonment is 20 years.

(b) Yes.

MUNICIPAL COMMITTEE OF ISA KHEL.

3058. Khan Muhammad Abdullah Khan : (a) Is it a fact that the population of different communities in the Municipal Committee of Isa Khel is as follows :—

Muslims 4,652, Hindus 1,375, Sikhs 145 (total of Hindus and Sikhs 1,520).

(b) Is it a fact that the Municipal Committee consists of 12 members, 7 Muslims and 5 Hindus ?

(c) Is it a fact that if seats were distributed on the basis of population, then the Muslims should have 9 members and Hindus 3 ?

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* Appendix XIII.

(*d*) Do Government propose to cancel the last notification on the subject and give Muslims 9 seats out of 12 ?

(*e*) Has the Ministry of Education issued a notification to the effect that population of different communities will be kept in view at the next nomination ? If not, what was the subject matter of the notification ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*a*) Yes.

(*b*) Yes. In addition there are five members appointed by office.

(*c*) Yes, if only non-official members are taken into account.

(*d*) No, as the system of election has not yet been introduced in this Municipal Committee, and even where such a system is in force, the number of seats is not fixed on the basis of population alone.

(*e*) No. It is not clear to which notification the honourable member is referring.

CROWN *versus* JAI DYAL AND OTHERS.

3059. Chaudhri Ram Singh : Will Government be pleased to state whether a prosecution "The Crown *versus* Jai Dyal and others" was launched by the Forest Department against the zamindars of Mauza Boh, Taaluqa Rahlo, Tahsil and District Kangra ? If so, will Government be pleased to state the reasons which led the Forest Department to launch the prosecution and the punishment awarded to each one of the accused ?

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

CHAK BAN DHAR FORESTS.

3060. Chaudhri Ram Singh : With reference to the answer to question No. 2080* given on the 25th February 1926, will Government be pleased to state the annual income which has accrued to Government from the sale of trees in the Chak Ban Dhar Forest in Mauza Boh, Tahsil and District Kangra, giving figures for each year from 1919—1921 ?

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

RESTRICTIONS ON THE MOVEMENTS OF GHANDILA TRIBE.

3061. Chaudhri Ram Singh : Will Government be pleased to state—

(*a*) whether restrictions were placed on the movements of the Ghandila tribe (which is a criminal tribe) ? If so, in what year the restrictions referred to above were imposed ?

(*b*) whether these restrictions have now been removed ? If so, what are the reasons for the same ?

(*c*) whether they propose to reimpose restrictions on the free movement of the Ghandila tribe in the Kangra District ?

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* Pages 132—133 *ante*.

The Honourable Mian Sir Fazl-i-Husain: (*a*) Yes, in 1917.

(*b*) Yes, in Shahpur, but only partially.

(*c*) There are no Ghandilas in Kangra. The honourable member is probably thinking of some other Criminal Tribe.

AKALI LEADERS' CASE.

3062. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to lay on the table a statement showing the expenditure incurred by the Government in conducting the case against the Akali Leaders in respect of—

(*i*) the fees paid to the counsels giving the name of each counsel and the amount paid or payable to each;

(*ii*) the pay and other allowances of the presiding officer of the court;

(*iii*) the pay and other allowances of the establishment;

(*iv*) stationery and other expenses; and

(*v*) the pay and other allowances of the police officers and men entrusted with duties in connection with investigation and conduct of the case?

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

CONSTRUCTION OF TRAMWAY IN CONNECTION WITH THE MANDI HYDRO-ELECTRIC SCHEME.

3063. Maulvi Mazhar Ali, Azhar: (*a*) Will the Government be pleased to state whether it has been finally decided to construct the tramway in connection with the Mandi Hydro-Electric Scheme from Pathankot? If so, will the Government please state the reasons why the Mukerian project has been abandoned?

(*b*) Has the Government of India accorded sanction to construct the tramway? If so, have the terms regarding the recoupment of estimated annual loss in running the tramway been settled?

(*c*) If the answer to (*b*) be in the affirmative, will the Government be pleased to state the terms of agreement?

The Honourable Mian Sir Fazl-i-Husain: (*a*) Yes. The Mukerian project was abandoned, as the Railway Board considered the alignment "Pathankot to Haripur, Nagrota East and Shanan" to be the best for public traffic and a better one from the point of view of the Hydro-Electric Scheme.

(*b*) Yes.

(*c*) The Punjab Government has agreed to pay to the Railway Department as guarantee a maximum of rupees four lakhs per annum for 13 years. The claims of each year will be calculated on the accounts of that year.

UNION BANKS IN THE GURDASPUR DISTRICT.

3064. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state—

(i) the names of the Union Banks in the Gurdaspur district which have advanced money during 1924 and 1925 to—

(a) the Co-operative Central Bank, Amritsar; and

(b) the Union Banks in Amritsar district;

(ii) the sum advanced by each Union;

(iii) the sum advanced by each to the Central Bank; and

(iv) the sum advanced by each to each of the Union Banks in Amritsar district?

The Honourable Sardar Jogendra Singh: The inquiry would be difficult and laborious, and the value of the information would be disproportionate to the labour involved.

INSPECTION OF THE CO-OPERATIVE BANK, GURDASPUR.

3065. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state the dates during the years 1922, 1923, 1924 and 1925 when the Co-operative Central Bank, Gurdaspur, was inspected by—

(i) the Registrar, Co-operative Societies;

(ii) the Deputy Registrar, Co-operative Societies; and

(iii) the Assistant Registrar, Co-operative Societies?

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

INSPECTION OF THE CO-OPERATIVE CENTRAL BANK, AMRITSAR.

3066. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state the dates during 1922, 1923, 1924 and 1925 when the Co-operative Central Bank, Amritsar, was inspected by—

(i) the Registrar, Co-operative Societies;

(ii) the Deputy Registrar, Co-operative Societies; and

(iii) the Assistant Registrar, Co-operative Societies?

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

INSPECTION OF THE CO-OPERATIVE CENTRAL BANK, HOSHIARPUR.

3067. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state the dates during 1922, 1923, 1924 and 1925 when the Co-operative Central Bank, Hoshiarpur, was inspected by—

(i) the Registrar, Co-operative Societies;

(ii) the Deputy Registrar, Co-operative Societies; and

(iii) the Assistant Registrar, Co-operative Societies?

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

INSPECTION OF CO-OPERATIVE CENTRAL BANK, JULLUNDUR.

3068. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state the dates during 1922, 1923, 1924 and 1925, when the Co-operative Central Bank, Jullundur, was inspected by—

(*i*) the Registrar, Co-operative Societies;

(*ii*) the Deputy Registrar, Co-operative Societies; and

(*iii*) the Assistant Registrar, Co-operative Societies?

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

INSPECTION OF CO-OPERATIVE CENTRAL BANK, FEROZEPORE.

3069. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state the dates during the years 1922 to 1925 when the Co-operative Central Bank, Ferozepore, was inspected by—

(*i*) the Registrar, Co-operative Societies;

(*ii*) the Deputy Registrar, Co-operative Societies; and

(*iii*) the Assistant Registrar, Co-operative Societies?

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

INSPECTION OF CO-OPERATIVE CENTRAL BANK, LUDHIANA.

3070. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state the dates during the years 1922 to 1925 when the Co-operative Central Bank, Ludhiana, was inspected by—

(*i*) the Registrar, Co-operative Societies;

(*ii*) the Deputy Registrar, Co-operative Societies; and

(*iii*) the Assistant Registrar, Co-operative Societies?

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

INSPECTION OF CO-OPERATIVE CENTRAL BANK, LAHORE.

3071. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state the dates during the years 1922 to 1925 when the Co-operative Central Bank, Lahore, was inspected by—

(*i*) the Registrar, Co-operative Societies;

(*ii*) the Deputy Registrar, Co-operative Societies; and

(*iii*) the Assistant Registrar, Co-operative Societies?

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

INSPECTION OF CO-OPERATIVE CENTRAL BANK, SHEIKHUPURA.

3072. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state the dates during the years 1922 to 1925 when the Co-operative Central Bank, Sheikhupura, was inspected by—

(*i*) the Registrar, Co-operative Societies ;

(*ii*) the Deputy Registrar, Co-operative Societies ; and

(*iii*) the Assistant Registrar, Co-operative Societies ?

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

INSPECTION OF CO-OPERATIVE CENTRAL BANK, GUJRANWALA.

3073. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state the dates during the years 1922 to 1925 when the Co-operative Central Bank, Gujranwala, was inspected by—

(*i*) the Registrar, Co-operative Societies ;

(*ii*) the Deputy Registrar, Co-operative Societies ; and

(*iii*) the Assistant Registrar, Co-operative Societies ?

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

INSPECTION OF CO-OPERATIVE CENTRAL BANK, SIALKOT.

3074. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state the dates during the years 1922 to 1925 when the Co-operative Central Bank, Sialkot, was inspected by—

(*i*) the Registrar, Co-operative Societies ;

(*ii*) the Deputy Registrar, Co-operative Societies ; and

(*iii*) the Assistant Registrar, Co-operative Societies ?

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

WATER-LOGGING IN SAMBRIAL.

3075. Maulvi Mazhar Ali, Azhar : Will the Government be pleased to state what steps have been taken or are contemplated to be taken to save the town of Sambrial in the Sialkot district and the area around the town from the damage done or being done by water-logging ?

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The Honourable Mian Sir Fazl-i-Husain :

An estimate has been sanctioned for digging a drain to give immediate relief, and a complete scheme for improving the surrounding area is in course of preparation.

LAHORE MUNICIPALITY.

3076. Maulvi Mazhar Ali, Azhar : (*a*) Will the Government be pleased to state if it is a fact that the Honourable Minister for Education has given a promise to any of the Hindus of Lahore that he would have the constitution of the Lahore Municipality revised so as to allot two additional seats to the Hindus on the condition that they should send in their representatives to serve on the present committee ?

(*b*) If the answer to (*a*) be in the affirmative, will the Government please state the terms of the offer ?

(*c*) If the answer to (*a*) be in the negative, will the Government kindly state if any such offer was made, and if so, what were its terms ?

The Honourable Rai Sahib Chaudhri Chhotu Ram : (*a*) No.

(*b*) Does not arise.

(*c*) There was only an informal conversation of a general nature in the course of which Hindus were given to understand that their return to the Lahore Municipality would produce a more suitable atmosphere for the discussion and consideration of any claims they might have to advance. No such offer as is suggested in the question was made to them.

CANDIDATES FOR INSPECTORSHIP OF CO-OPERATIVE SOCIETIES.

3077. Maulvi Mazhar Ali, Azhar : (*a*) Will the Government be pleased to state :—

(*i*) the number of candidates for Inspectorship of Co-operative Societies undergoing training at present ;

(*ii*) the number amongst them who have been taken—

(*a*) from the Sub-Inspectors ; and

(*b*) direct ;

(*iii*) the number amongst those in class (*a*) of part (*ii*) above who are Muslims, Hindus and Sikhs ; and

(*iv*) the number amongst those in class (*b*) of part (*ii*) above who are Muslims, Hindus and Sikhs ?

(*b*) Will the Government be pleased to state whether any proportion has been fixed between those candidates who are taken direct and those taken from Sub-Inspectors ? If not, will the Government kindly explain the reasons why the proportion is not fixed ?

The Honourable Sardar Jogendra Singh :

(*i*) 27.

(*ii*) All were selected direct.

(*iii*) (*a*) Does not arise.

(*b*) Muslims 13, Hindus 11, Sikhs 3.

(*iv*) No proportion is fixed and Inspectors are selected on their merits.

INSPECTORS PROMOTED TO THE OFFICE OF ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES.

3078. Maulvi Mazhar Ali, Azhar: (*a*) Will the Government be pleased to state the number of Inspectors who were promoted to the office of Assistant Registrar of Co-operative Societies during the years 1923, 1924 and 1925 ?

(*b*) Will the Government be pleased to state what factors are taken into consideration in making the promotions ?

(*c*) Is it a fact that a number of seniors were passed over during the said year ? If so, will the Government be pleased to state the number of those who were superseded, their names and the names of those who superseded and the reasons for supersession in each case ?

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

PERMANENT ASSISTANT REGISTRARS OF CO-OPERATIVE SOCIETIES.

3079. Maulvi Mazhar Ali, Azhar: Will the Government be pleased to state the number of permanent Assistant Registrars of Co-operative Societies and the number of Muslims and non-Muslims amongst them ?

The Honourable Sardar Jogendra Singh: There are 11 permanent Assistant Registrars, of whom 5 are Muslims.

ENGINEERING SCHOOL AT RASUL.

3080. Chaudhri Afzal Haq: Will the Government be pleased to state the reasons why the system of training Subordinates of Engineering Department at Roorkee was discontinued, and what objects were aimed at in starting the School of Engineering at Rasul ?

The Honourable Sardar Jogendra Singh: The 1925 Calendar of the Thomason Civil Engineering College, Roorkee, shows that a new class entitled "The Overseer Class" has now been constituted at the College to meet the requirements of the Subordinate Engineering Service and of the public demands for a class of men trained to a standard intermediate between the two old classes (Upper and Lower Subordinates).

The School at Rasul replaced the School which existed at Lahore from 1906 to 1911. Its object is to give practical as well as theoretical instruction in Civil Engineering with a view to qualifying Punjab students as Overseers for the Subordinate Engineering Service and as draftsmen for the Draftsman Cadre of the Public Works Department and for such Engineering Subordinate and Draftsman posts as may be obtainable in the open market.

ENGINEERING SUBORDINATES IN THE PUBLIC WORKS DEPARTMENT.

3081. Chaudhri Afzal Haq: (*a*) Will the Government kindly state (*i*) the total number of students admitted each year to the Rasul School since its establishment ; and (*ii*) the number of Muslim students admitted each year ?

(*b*) Whether any percentage is fixed for Muhammadan candidates for admission to the School ? If not, do the Government propose to reconsider the advisability of fixing the proportion ?

[Ch. Afzal Haq.]

(*c*) Whether they propose also to reconsider the question of fixing a proportion of Muslims to be taken as Engineering Subordinates in the Public Works Department?

The Honourable Sardar Jogendra Singh: (*a*) (*i*) and (*ii*). A statement giving the information required is attached.

(*b*) (*i*) No.

(*b*) (*ii*) No.

(*c*) In recruiting the Subordinate Engineering Service endeavour is made to safeguard the interests of qualified Muslim Candidates.

Statement showing the number of candidates admitted into the Government School of Engineering, Punjab, since its inception at Rasul.

Year.	Total number admitted.	Number of Muhammadans.
1913	47	16
1914	36	14
1914	50	17
1915	54	19
1916	51	16
1917	54	21
1918	50	19
1919	60	18
1920	55	22
1921	51	17
1922	...	...
1923	68	24
1924	60	20
1925	64	21
1926	66	10
Total	736	255

TEACHING STAFF AT THE RASUL ENGINEERING SCHOOL.

3082. **Chaudhri Afzal Haq**: Will the Government be pleased to state (*i*) the total strength of the teaching staff at the Rasul Engineering School; (*ii*) the number of those on the staff who are on deputation from the Public Works Department and the number of Muhammadans amongst them?

The Honourable Sardar Jogendra Singh : (*i*) The total strength of the teaching staff of the Government School of Engineering, Rasul, is 17 including mistri-instructors.

(*ii*) None of the staff is on deputation. Eight out of the seventeen are Muhammadans.

CLERKS IN THE ROORKEE SCHOOL OFFICE.

3083. Chaudhri Afzal Haq : Will the Government be pleased to state if it is a fact that (*i*) all the clerks in the Roorkee School Office are non-Muslims, (*ii*) the grades of pay of some of the clerks are much higher than those of some of the instructors ?

The Honourable Sardar Jogendra Singh : As the institution is under the control of the Government of the United Provinces, the Punjab Government is not in a position to reply to the question.

ASSISTANT PRINCIPAL OF THE RASUL ENGINEERING SCHOOL.

3084. Chaudhri Afzal Haq : (*a*) Is it a fact that the post of the Assistant Principal of the Rasul Engineering School has always been held by non-Muslims ?

(*b*) How long has the present incumbent been holding the post. Is he there on deputation ?

(*c*) Is there any rule regarding the period during which a person may serve on deputation ? If so, what is the period, and has the rule been observed in the case referred to in (*b*) ?

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

(*b*) The present incumbent has held the post since the 5th November 1918. He is not there on deputation.

(*c*) Does not arise.

NAIB-TAHSILDARS IN THE MUZAFFARGARH DISTRICT.

3085. Khan Muhammad Abdullah Khan : Will Government be pleased to state—

(*a*) the number of Naib-Tahsildars in each tahsil of the Muzaffargarh district ?

(*b*) whether it is a fact that formerly there used to be only one Tahsildar and one Naib-Tahsildar in each tahsil ? If so, what are the reasons for increasing the number of Naib-Tahsildars in each tahsil ?

(*c*) whether it is a fact that this increase in the number of Naib-Tahsildars is due to an increase in the number of mutation cases ? If so, what are the reasons for this increase, and since how long this increase in the number of mutation cases has taken place ? If not, will Government please state their reasons for increasing the number of Naib-Tahsildars ?

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

APPOINTMENT OF A COMMITTEE TO DEVISE MEANS FOR THE RELIEF OF CULTIVATORS OF MUZAFFARGARH DISTRICT.

3086. Khan Muhammad Abdullah Khan : With reference to the announcement made by the Honourable the Revenue Member in response to Sayad Muhammad Husain's resolution *re* the relief of the poor cultivators of the Muzaffargarh district, that a Committee would be appointed to devise ways and means for the relief of the poverty-stricken cultivators of the Muzaffargrah district, will Government be pleased to state when they are going to appoint the promised Committee ? Also will Government be pleased to state the number and the names of the members of the Committee and the place where the Committee will commence its deliberations ?

The Honourable Mian Sir Fazl-i-Husain : The honourable member's attention is drawn to the debate on the Resolution mentioned in his question. It was stated that Mr. J. D. Anderson will be requested to submit a report on the economic requirements of the district after consulting the representatives of the Irrigation and the Co-operative Departments and non-official opinion. Mr. Anderson returns from leave in October 1926. Pending his return the Irrigation department have been asked to go into the matter of the floods as well as schemes of irrigation in the Muzaffargarh district, and similarly the Co-operative department have been requested to formulate their proposals, so that Mr. Anderson on his return may be able to consider and discuss the schemes and the proposals of the Irrigation and the Co-operative departments.

Government has decided that non-official opinion will best be represented by—

(*a*) the honourable member representing Muzaffargarh district in the Legislative Council, and

(*b*) by a representative to be elected by the members of the district Board of Muzaffargarh.

These two representatives of the district will submit their suggestions to Mr. Anderson and advise him generally.

WORKSHOP BELONGING TO THE CANAL DEPARTMENT, MUZAFFARGARH.

3087. Khan Muhammad Abdullah Khan : Will Government be pleased to state whether the Canal Department, Muzaffargarh, has got a workshop of its own ? If so, will Government be pleased to state—

(*i*) the annual income of the Canal Department from this source ;

(*ii*) the annual expenditure of the workshop ;

(*iii*) the annual profits, if any ;

(*iv*) the number of employees in the workshop, with their names and the work entrusted to them ?

The Honourable Mian Sir Fazl-i-Husain : The honourable member is informed that the requisite information is not available at present. Enquiries have been made from local officers. Complete reply will follow.

PROSECUTION AGAINST RELIGIOUS PREACHERS.

3088. Chaudhri Ram Singh : With reference to the answer to question No. 2428* given on March 1st, 1926, will Government be pleased to state the number of religious preachers belonging to each community and the punishment awarded to each one of them?

The Honourable Sir John Maynard : Government is not prepared to institute comparisons of this nature.

COMMUNAL REPRESENTATION AMONGST MEMBERS OF CO-OPERATIVE SOCIETIES IN THE PUNJAB.

3089. Chaudhri Ram Singh : Will Government be pleased to state the total number of the members of Co-operative Societies in the Punjab, and the number of Hindus, Muslims, Sikhs and Christians amongst them?

The Honourable Sardar Jogendra Singh : The total number of members of the various types of Co-operative Societies will be found in the statements attached to the annual report of that Department.

No figures as to the distribution of these members by communities exist.

NOMINATION OF DOGRA RAJPUTS AS EXTRA ASSISTANT COMMISSIONERS.

3090. Chaudhri Ram Singh : Will Government be pleased to state if it is a fact that during the last 25 years not even a single Dogra Rajput has been nominated an Extra Assistant Commissioner on Register (C)? If so, will Government be pleased to state their reasons for overlooking the claims of the Dogra Rajputs?

Mr. J. M. Dunnett : (*i*) No.

(*ii*) Does not arise.

3091-3095—*Cancelled.*

BHIWANI MILL CASES.

3096. Pandit Nanak Chand : (*a*) Has the attention of the Government been drawn to the judgment in Bhiwani Mill cases decided by the Special Magistrate, Bhiwani, on the 27th January 1926?

(*b*) Is the Government aware that the Special Magistrate has acquitted the accused honourably, and has held that the prosecutions were quite unjustified, and that there has been waste of Government money?

(*c*) Is the Government aware that Mr. F. A. Connor, District Magistrate of Hissar, who tried the first of the cases recommended to the Government that the other cases need not be proceeded with, and the cases mentioned in (*a*) were started inspite of his recommendation?

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* Pages 197-198 *ante.*

[Pandit Nanak Chand.]

(d) Is the Government aware that these Mill cases have been going on for the last two years?

(e) Is it a fact that a special Public Prosecutor was appointed to conduct these cases?

(f) Is the Government aware that the Magistrate has also held that these cases were unduly prolonged by the prosecution, and that unnecessary evidence was produced?

(g) Will the Government please state the amount of expenses incurred by the Government in conducting these cases?

(h) When there are more than one case against the same person, is it not the practice of the Government to drop the other cases after conviction has been secured in one case. If so, was this rule acted upon in connection with these cases?

(i) In view of the judgment of the Special Magistrate, does the Government intend to proceed with other cases?

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

STATEMENT *RE* DEVELOPMENT OF INDUSTRIES.

The Honourable Sardar Jogendra Singh (Minister for Agriculture): Sir, I have to make a statement regarding the development of industries. Yesterday the guillotine began to operate when the grant of this department came up for consideration. Most of the time was spent on other departments, and so we had not the advantage of constructive criticism on this department on which the prosperity and well-being of the country depends.

The one thing which we must realise is that modern industry in all countries of the world is founded on the organisation of capital, brains and enterprise. In these days of great combinations it is impossible for any small industries to compete with gigantic trusts. We are rich in the raw material: but we have been looking backwards to realise the future. We must make a correct estimate of our needs and also the way how to meet these needs by producing the things we need. I feel that it is a matter which needs active co-operation of all thoughtful men. I therefore propose, with the approval of His Excellency, to call together a Board of Research and Trade. I have purposely refrained from presenting you with a cut and dried scheme. I wish to frame the scheme in consultation with you and others outside the House who are interested in the problem. I am very anxious to make this Board a live body with full representations of all the people interested in the industrial development, with branches in all the industrial centres of the province and with a small executive committee which would keep its hand on the trade pulse of our province and indicate definite lines of industrial development. The object is to bring brains, enterprise and experience together to explore in a systematic manner the possibilities of organising and developing our industries. The Board will be called into being as soon as all the opinions that I am inviting to-day are received and assimilated. I invite you and through you all those who are interested in the industrial advancement of our province to favour me with their ideas and opinions regarding the formation of this Board. The functions of the Board in the

province will be advisory, but it will be within the scope of the Board to examine proposals for fostering new industries and to make recommendations and to take a share both in the matter of providing capital and management. The executive body of the Central Board may in time to come win for itself a more important place and begin to function in the same way as Trade and Research Board at present functions in England. I am throwing out the suggestion to receive more light. I hope this Board will formulate an active industrial policy and it will become the permanent custodian of this policy.

In the meanwhile in the present year I am going to examine the possibility of developing the vegetable oil and sugarcane industries. We export cotton seed approximately 37,460 tons, vegetable seeds about 123,691 tons. Oil seeds provide food both for man, beast and also for the soil. It is one of those essential articles of consumption which we must preserve for our province. I intend inviting an expert to examine the position and associate with him enterprising Punjabis and if the result of this enquiry leads us to believe that the industry can be developed in the province it will be my endeavour to foster this industry.

The Punjab has been growing sugarcane from time immemorial and the average area under sugarcane is nearly 4½ lakhs of acres. According to the Sugar Committee's estimates losses on every hundred maund of cane amount to 4·28 maunds. The point which I wish to bring home to you is that by neglecting to use modern appliances and modern methods of manufacturing from the crop which we are growing we are throwing into the furnace nearly eight crores of rupees every year. The problem is how to save this money for the people of the Punjab. A similar enquiry, in this case too will be conducted during the current year.

We also hope to establish a model hosiery school at Ludhiana and supply it with modern machines and designs. We are also going to enquire into the possibility of developing soap industry at Amritsar. But above all I am going to examine whether we cannot make power weaving a home industry in the Punjab. I have been in consultation with our Director of Industries and a scheme is under consideration to establish some power looms at Shahdara and help a few families of weavers to settle down here and use the power loom in place of a hand loom. We would provide them with yarn and designs and they would work in their own homes and under conditions with which they are familiar. The only difference will be that looms will be worked by electricity which the weaver will switch on and switch off as he likes and earn less or more according to his own industry. I am going to spend many days in Amritsar and other industrial centres and have a careful survey made of all the industries of the province to discover the cause of the failure of those that are failing and how to remove this cause, and the possibilities of establishing new industries and modernising the old. The development of industries is one of the vital problems which we must take up if we are to save the rising generation from despair and to afford them means which would make life worth living. (Loud applause).

THE SIKH GURDWARAS (AMENDMENT) BILL.

Sardar Johh Singh (Sikh, Urban) : Sir, I beg to move—

"That the Sikh Gurdwaras (Amendment) Bill as reported by the Select Committee be taken into consideration."

[Sardar Jodh Singh.]

Sir, in putting this motion before the House I may state that the main purpose of this Bill is to split up the plural-member constituencies into single-member constituencies for the purpose of the Central Board constituted under the Sikh Gurdwaras Act. When the property lists of the various gurdwaras were compiled from the revenue papers, it was found that in certain cases the names of the revenue estates were incorrectly entered in the Gurdwara Act itself, for example, the revenue estate of "Salho-Chahal" was entered as "Chahal" because people popularily called it by that name. This opportunity is therefore being taken to correct those mistakes. In some cases it was found that in the constituencies fixed under the Gurdwara Act very few voters had enlisted themselves. In one case it was found that there was only one voter. Hence this occasion has been taken to change such constituencies where a sufficient number of voters are not forthcoming. All the amendments that are going to be moved fall under these three main catagories and I hope the House will have no objection to incorporating the amendments in the legislation.

Mr. President: The question is—

"That the Sikh Gurdwaras (Amendment) Bill as reported by the Select Committee be taken into consideration."

The motion was carried.

Mr. President: The question is—

"That clause 2 stand part of the Bill."

The motion carried.

Mr. President: Clause 3.

Sardar Buta Singh [Multan Division and Sheikhupura (Sikh) Rural]: Sir, I beg to move—

"That after sub-clause (15) of clause 3 the following new sub-clauses be added and the subsequent sub-clauses be renumbered accordingly :—

In the same schedule in item 44 in the fifth column for the words 'Guru-ki-Wadali' the words 'Damdama Sahib' shall be substituted.

In the same schedule in item 51 in the fifth column for the word 'Bir' the word 'Wir' shall be substituted."

The motion was carried.

Sardar Buta Singh: Sir, I beg to move—

"That after sub-clause (16) of clause 3 the following new sub-clause be added and the subsequent sub-clauses be renumbered accordingly :—

In the same schedule in item 60 in the sixth column for the word 'Chabba' the word 'Chabba' shall be substituted."

The motion was carried.

Sardar Buta Singh: Sir, I beg to move—

"That after sub-clause (18) of clause 3 the following new sub-clauses be added and the subsequent sub-clauses be renumbered accordingly :—

In the same schedule in item 69 in the fourth column, for the word 'Chahal' the words 'Salho Chahal' shall be substituted and in the sixth column after the word 'of' the words 'Salho Chahal' shall be inserted.

In the same schedule in item 70 in the fourth column for the words 'Pakhoke, Dera Baba Nanak' the words 'Pakhoke Dera Nanak' shall be substituted."

The motion was carried.

Sardar Buta Singh : Sir, I beg to move—

"That after sub-clause (19) of clause 3 the following new sub-clauses be added and the subsequent sub-clauses be renumbered accordingly :—

In the same schedule in item 71 in the fourth column for the word 'Srigobindpur' the word 'Talwara' shall be substituted."

In the same schedule in item 72 in the fourth column for the words 'Pakhoke Dera Baba Nanak' the words 'Pakhoke Dera Nanak' shall be substituted."

The motion was carried.

Sardar Buta Singh : Sir, I beg to move—

"That after sub-clause (24) of clause 3 the following new sub-clause be added and the subsequent sub-clauses be renumbered accordingly :—

In the same schedule in item 112 in the fourth column for the words 'Chak 127 S. B.' the words 'Mansehra Chak 127, S. B.' shall be substituted, and, in the sixth column for the words 'Chak 127' the words 'Mansehra Chak, 127, S B.' shall be substituted."

The motion was carried.

Sardar Buta Singh : Sir, I beg to move—

"That after sub-clause (28) of clause 3 the following new sub-clause be added and the subsequent sub-clauses be renumbered accordingly :—

In the same schedule in item 128 in the fourth column for the word 'Anandpur' the word 'Ledhipur' shall be substituted.

The motion was carried.

Sardar Buta Singh : Sir, I beg to move—

"That after sub-clause (45) of clause 3 the following new sub-clause be added and the subsequent sub-clauses be renumbered accordingly :—

In same schedule in item 170 in the fourth and sixth columns for the words 'Chak Fateh Singh' the words 'Chak Fateh Singhwala' shall be substituted."

The motion was carried.

Sardar Tara Singh [Ferozepore (Sikh), Rural] : Sir, I beg to move :—

"That after sub-clause (48) of clause 3 the following new sub-clause be added and the subsequent clauses be renumbered accordingly :—

In the same schedule in item 177 in the fourth column the words 'and Takhtpura Nanaksar' shall be omitted and in the fifth column for the words 'Gurdwara Daswin Padshahi' the word 'Nanaksar' shall be substituted."

The motion was carried.

Sardar Buta Singh : Sir, I beg to move—

"That for the existing sub-clause (49) of clause 3 the following sub-clause be substituted :—

(49) In the same schedule in item 178 in the fourth and sixth columns for the word 'Mahdevki' the word 'Madya' shall be substituted."

The motion was carried.

Sardar Tara Singh : Sir, I beg to move :—

"That after sub-clause (49) of clause 3 the following new sub-clause be added and the subsequent clauses be renumbered accordingly :—

In the same schedule in item 192 in the sixth column for the words 'Zail of Varing' the words 'District of Ferozepore' shall be substituted."

The motion was carried.

Sardar Buta Singh [Multan Division and Shiekhupura (Sikh), Rural] : Sir, I beg to move :—

"That after sub-clause (49) of clause 3 the following new sub-clause be added and the subsequent sub-clauses be renumbered accordingly :—

In the same schedule in item 197 in the sixth column for the words 'Khos Randhir' the words 'Khosa Randhir' shall be substituted."

The motion was carried.

Sardar Buta Singh : Sir, I beg to move :—

"That after sub-clause (53) of clause 3 the following new sub-clauses be added :—

In the same schedule in item 225 in the sixth column for the words 'Revenue estates of Raipur and Manak Tabra' the words 'Tahsil of Narainganh' shall be substituted.

In the same schedule in item 230 in the sixth column for the words 'Revenue estate of Sidhal' the words 'Zail of Harnaul' shall be substituted.

In the same schedule in item 239 in the fourth and fifth columns for the word 'Khidarabad' and in the sixth column for the word 'Khidrabad' the word 'Khizrabad' shall be substituted."

Mr. President : The question is—

"That clause 3 as amended stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That clause 4 stand part of the Bill."

The motion was carried.

Mr. President : Clause five.

Sardar Buta Singh [Multan Division and Shiekhupura (Sikh), Rural] : Sir I beg to move—

"That in schedule IV, in item 112 after the word 'the' the words 'rest of the' shall be inserted."

The motion was carried.

Sardar Tara Singh : There is a clerical mistake in Schedule IV, serial number 45. The word "Dela" should be "Dala."

Mr. President : It is merely a misprint and it will be corrected. No formal amendment is necessary. The question is—

"That clause 5 as amended stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That the title and the preamble stand part of the Bill."

The motion was carried.

Sardar Jodh Singh : Sir, I beg to move—

"That the Sikh Gurdwaras (Amendment) Bill be passed."

The motion was carried.

THE PUNJAB AERIAL ROPEWAYS BILL.

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

"That the Punjab Aerial Ropeways Bill, as amended by the Select Committee, be taken into consideration."

The motion was carried.

Mr. President : The question is—

"That clauses 2 to 37 stand part of the Bill."

The motion was carried.

Mr. President : The question is—

"That the preamble and the title stand part of the Bill."

The motion was carried.

The Honourable Sardar Jogendra Singh : Sir, I beg to move—

"That the Punjab Aerial Ropeways Bill be passed."

The motion was carried.

THE PUNJAB MONEY-LENDERS' BILL.

Mir Maqbool Mahmood [Amritsar (Muhammadan), Rural]: Sir, I beg to present the report of the Select Committee on the Punjab Money-Lenders' Bill.

RESOLUTION *RE* TRUNK TELEPHONE BETWEEN LAHORE AND SARGODHA.

The Honourable Mian Sir Fazl-i-Husain (Revenue Member) : Sir, I beg to move—

"That this Council recommend the acceptance by Government of an annual guarantee of Rs. 12,000 (subject to revision when the actual cost is known) for a period of five years on account of the proposed trunk telephone line to be erected between Lahore and Sargodha."

The motion was carried.

ELECTIONS TO PUBLIC ACCOUNTS AND STANDING COMMITTEES.

Mr. President: I have to announce to the Council that the number of nominations for the Standing Committees on Education, Excise, Land Revenue, Canals, Co-operative Societies and Public Health are equal to the number of vacancies to be filled. No elections will therefore be held for these committees. The number of candidates nominated for the remaining Committees exceeds the number of vacancies to be filled. The Council will therefore proceed to an election.

There will now be distributed to members seven ballot papers one of each Committee for which members have to be elected. The name of the Committee is written at the top of each paper which also contains the names of candidates for that Committee. Members should take each paper in turn and then put opposite to each name in the empty column the number of their choice, the first choice first, the second choice second, the third third, and so on, until the names are exhausted. It is not, however, necessary to write anything against every name if a member does not so wish. Each paper should be treated separately. Members are warned that the writing of anything but the number against the names of the candidates will render the ballot paper invalid. If any member wishes to ask for any information relating to the election I shall be glad to furnish the information or the Secretary will do so.

After filling the ballot papers members should fold them and drop them in the ballot box provided for that purpose. The results cannot naturally be announced to-day. As soon as they are known they will be notified to honourable members.

I have also to announce that the existing Public Accounts Committee and the Standing Committees will continue to function till the constitution of the new Committees are notified in the *Punjab Government Gazette.*

Rai Bahadur Lala Sewak Ram: Sir, I withdraw my candidature for the Finance Committee.

Rai Bahadur Lala Dhanpat Rai: Sir, I withdraw my name from my candidature for the Public Accounts Committee.

Mr. President: Rai Bahadur Lala Sewak Ram withdraws his candidature from the Finance Committee and Rai Bahadur Lala Dhanpat Rai from the Public Accounts Committee. The number of remaining candidates for these two Committees is equal to the number of seats to be filled. Therefore there will be no election in the case of these two Committees. Members may ignore the voting papers with regard to these two Committees.

After the voting for the various Committees concluded, the Council adjourned *sine die.*

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